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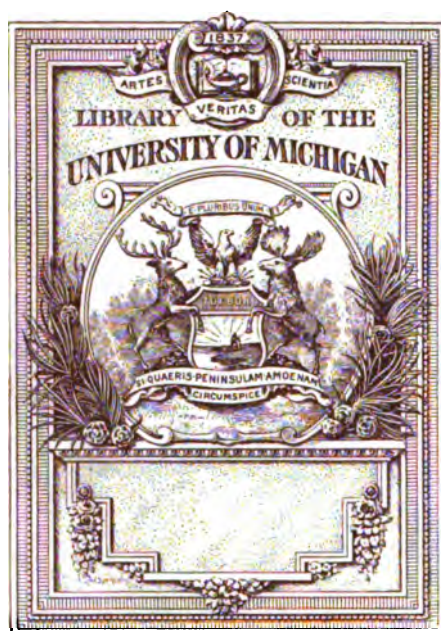
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T H E

Statutes at Large,

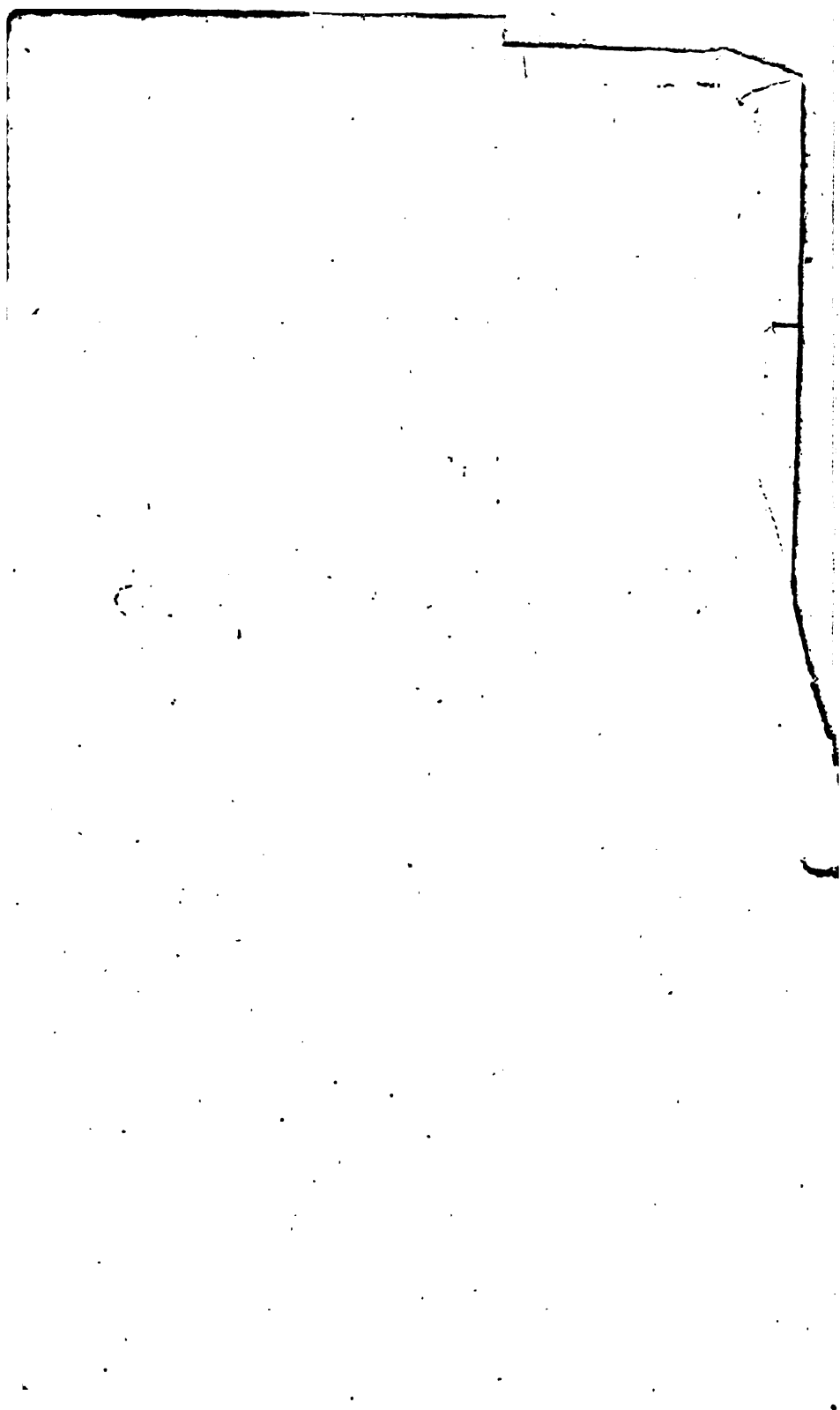
From the First Year of K. HEN. V.

T O

The 22d Year of King EDW. IV. inclusive.

B Y

DANBY PICKERING, of GRAY'S INN, Esq;



M. D. Hall

THE
Statutes at Large,

FROM THE
First Year of King HENRY V.

TO THE
Twenty-second Year of King EDW. IV. inclusive.

To which is prefixed,
A TABLE containing the TITLES of all the STATUTES
during that Period.

V O L. III.

By DANBY PICKERING, of Gray's-Inn, Esq;
Reader of the Law Lecture to that Honourable Society.

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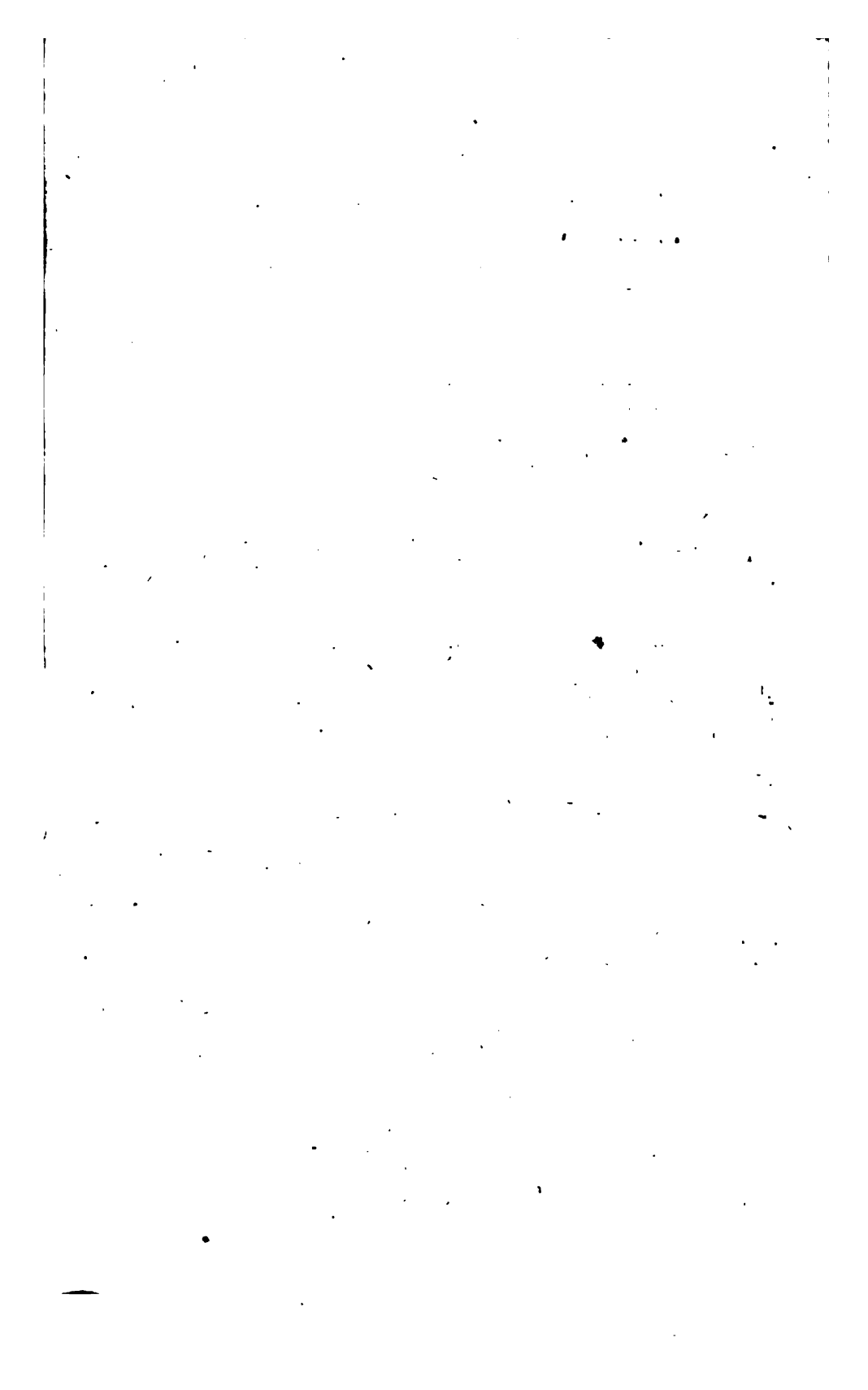


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Anno 14 Edw. 4.

Cap. 1. For the benefit of the King's tenants going in his wars.

Cap. 2. Concerning protections of such as go in the King's wars.

Cap. 3. Concerning the exportation of wools and fells.

Cap. 4. A confirmation of statutes made against the breakers of truce, &c.

Anno 17 Edw. 4.

Cap. 1. An act concerning money.

Cap. 2. For courts of Pie-powders.

Cap. 3. Against unlawful games.

Cap. 4. Concerning the making of tile.

Cap. 5. Concerning the sealing of cloths.

Cap. 6. That the old sheriff may execute his office during the residue of *Michaelmas* and *Hillary* term, after his year ended, if he has not before his writ of discharge.

Cap. 7. A repeal of the parliament held *anno 9 Ed. 4.* and *49 Hen. 6.*

Anno 22 Edw. 4.

Cap. 1. An act concerning apparel.

Cap. 2. Concerning the packing of barrell'd fish.

Cap. 3. Concerning filk-workers.

Cap. 4. For limiting the price of bows.

Cap. 5. Concerning the fulling of hats and caps.

Cap. 6. Concerning swans.

Cap. 7. An act for inclosing woods in forests, chafes, and purlieus.

Cap. 8. Concerning the town and freemen of *Berwick*.

The End of the TABLE.

THE STATUTES at Large, &c.

Anno primo HENRICI V.

Statutes made at *Westminster* in the first year of the reign of King HENRY the Fifth, and in the year of our Lord 1413.

NOSTRE seignur le Roy a son parlement tenuz a Westm' a les trois semaines de Pasche lan de son regne pri-
miere de ladvis & assent des seignurs esperituelx & temporelx & a les especialx instaunce & request des communes de son roialme ad ordeignez & establiz diverses ordinaunces & estatuts en la fourme qe-
seute.

OUR lord the King, at his parliament holden at Westminster in the third week of Easter, the first year of his reign, by the advice and assent of the lords spiritual and temporal, and at the special instance and request of the commons of this realm, hath ordained and established divers statutes and ordinances in the form following.

CAP. I.

What sort of people shall be chosen, and who shall be the choosers of the knights and burgeses of the parliament.

PRimerement qe les estatutz faitz de la election des chivalers des countees pur venir au parlement soient tenuz & gardez en toutz pointz adjoustant a ycelles qe les chivalers des countees qe desores serrount esluz en chescun countee ne soient esluz sils ne soient reseautz deinz les countees ou ils serrount issint esluz le jour de la date du brief de somons de parlement et qe les chivalers & esquiers & autres qi serrount eslisours des tielx chivalers des countees soient auxi reseautz deins mesmes les countees en maniere & fourme come deffeus est dit. Et outre ceo ordeignez est & establiz qe
VOL. III. les

FIRST, That the statutes of Rast. 446. the election of the knights of the shires to come to the parliament, be holden and kept in all points; (2) adjoining to the same, That the knights of the shires which from henceforth shall be chosen in every shire, be not chosen unless they be resident within the shire where they shall be chosen the day of the date of the writ of the summons of the parliament; (3) and that the knights and esquires, and others which shall be choosers of those knights of the shires, be also resident within the same shires, in manner and form as is aforesaid. (4) And
B more-

What persons shall be chosen, and who shall be the choosers of the knights, citizens and burgeses for the parliament.

moreover it is ordained and established, That the citizens and burgeses of the cities and boroughs be chosen men, citizens and burgeses resiant, dwelling and free in the same cities and boroughs, and no

7 H. 4. c. 15.

8 H. 6. c. 7.

10 H. 6. c. 2.

23 H. 6. c. 15.

other in any wise.]

les citeins & burgeises des citees & burghs soient essuz hommes citeins & burgeises reseautz demurrautz & enfranchises en mesme les cites & burghs & nulles autres en nulle maniere.

C A P. II.

A confirmation of former statutes touching wears, mills, kidels, &c.

25 Ed. 3. stat. 4.

c. 4.

45 Ed. 3. c. 2.

4 H. 4. c. 11.

ITEM, because that great complaint hath been made to our said lord the King in this present parliament, for that the statutes made in the time of his noble progenitors Kings of England, of the levying and straiting of wears, mills, stanks, stakes, and kidels, be not kept according to the form and effect of the same statutes, to the great damage of the people of the realm of England; (2) our said lord the King that now is, by the advice and assent of the lords spiritual and temporal, and at the request of the said commons, will and grant, That the said statutes and ordinances be surely holden and kept, and put in due execution.

ITEM pur ce qe graunde compleinte ad este faite a nostre dit seigneur le Roy en le dit parlement de ce qe les estatutz faitz en temps de ses nobles progenitours de les enhanceur & estreiture des gors des moleyns estankes estakes & kidoux ne sont pas tenuz ne gardes solonc les fourme & effect de mesmes les estatuts a graunt damage du poeple & du roialme mesme nostre seigneur le Roy de ladvis & assent suifditz & a la request des dites communes voet & graunte qe les ditz estatutz soient ferment tenuz & gardes & mys en due execution.

C A P. III.

The penalty for forging or publishing a false deed.

Ex edit. Raft.

Conspiracy.

Forging of

false deeds.

Keilw. 110. b.

ITEM, whereas many of the King's liege people which have manors, lands, or tenements, by purchase or by descent of inheritance or in any other manner, intending to be in peace and rest in the said tenures as they were wont to be, divers evil disposed persons, some of their own head, and some by false conspiracy and covin, subtilly imagine and forge of new divers false deeds and miniments, and them do openly to be pronounced, published, and read, to trouble and change the lands of good people of the country, and to undo and trouble the possessions and titles of the said King's liege people, by the which imagination and falsity many of the aforesaid liege people be troubled and vexed, and at all times abiding in doubt of their possessions and estate: our sovereign lord the King willing to purvey a remedy in this case, by the advice and assent aforesaid, and at the request of the said commons hath ordained and established, That the party so grieved shall have his suit in that case, and recover his damages, and the party convicted shall make fine and ransom at the King's pleasure.

Rep. 5. Eliz.

c. 14.

C A P.

CAP. IV.

Repealed, as to Under-sheriff not being attorney
Sheriffs bailiffs shall not be in the same office in three years after. Sheriffs officers shall not be attorneys.

ITEM pur ceo qe les lieges nostre seigneur le Roy nosent my pursuir ne compleindre des extorsions & oppressions a eux faitz par les ministres des viscountes cestassavoir par southviscountz clerks des viscountes resceyvours & bailifs des viscountes a cause qe les ditz southviscountes clerks resceyvours & bailifs des viscountes sount sy continuelment de an en an demurrauntz oveſqe les viscountes enterchaungeablement en un office ou en autre nostre seigneur le Roy de ladvis & assent suisdit & a la request des ditz communes ad ordeignez & establiz qe ceux qi sount bailifs des viscountz par un an ne soient en nul tiel office par les trois ans profchein ensuantz forſpris les bailiffs des viscountes queux sont enheriteez en lour viscountes et qe nul southviscount ne clerk de viscount resceyvour ne bailif de viscount soit attourne en aucun court de Roy pur le temps qil est en office au aucun tiel viscount.

ITEM, for as much as the King's liege people dare not pursue or complain of the extorsions and of the appressions to them done by the officers of sheriffs, that is to say, by under-sheriffs, clerks of sheriffs, receivers and bailiffs of sheriffs, because that the said under-sheriffs, clerks, receivers, and bailiffs be continually, from year to year, abiding with the sheriffs interchangeably out of one office into another; (2) our lord the King, by the advice and assent aforesaid, and at the request of the said commons, hath ordained and established, That they which be bailiffs of sheriffs by one year, shall be in no such office by three years next following, except bailiffs of sheriffs which be inheritable in their sheriffwicks. (3) And that no under-sheriff, sheriff's clerk, receiver, nor sheriff's bailiff, be attorney in the King's courts during the time that he is in office with any such sheriff.

The sheriffs bailiffs shall not be in the same office three years after.

Sheriffs officers shall not be attorneys.

CAP. V.

In which original writs additions of the defendants names shall be put.

ITEM ordeignez est & establiz qen chescun brief original des actions personex & appellees & enditementz en queux exigend' serra agardez qa les nouns des defendauntz en tieux briefs originalx appellees & enditementz soient faitz additions de lour estat ou degree ou de mistere & les villes ou hamelles ou lieux & les countees des queux ils furent ou

ITEM, it is ordained and established, That in every original writ of actions personals, appeals, and indictments, and in which the exigent shall be awarded, in the names of the defendants in such writs original, appeals, and indictments, additions shall be made of their estate or degree, or mystery, and of the towns, or hamlets, or places, and counties,

6 Co. 67.
Cro. El. 198.
Cro. Jac. 610.
Dyer, 46.
Bro. Addit. 4.
5, 7—&c.
1 Show. 16.
3 Mod. 139.

In original writs wherein exigent shall be awarded, additions of the de:endants names shall be put.

Hob 129.
Surplusage of additions shall not prejudice.
Mod. cases in law, 52.

of the which they were, or be, or in which they be or were conversant; (2) and if by process upon the said original writs, appeals, or indictments, in the which the said additions be admitted, any utlagaries be pronounced, that they be void, frustrate, and holden for none; (3) and that before the utlagaries pronounced, the said writs and indictments shall be abated by the exception of the party, where in the same the said additions be omitted.

(4) Provided always, That though the said writs of additions personals be not according to the records and deeds, by the surplusage of the additions aforesaid, that for that cause they be not abated; (5) and that the clerks of the chancery, under whose names such writs shall go forth written, shall not leave out, or make omission of the said additions as is aforesaid, upon pain to be punished, and to make a fine to the King, by the discretion of the chancellor. (6) And this ordinance shall begin to hold place at the suit of the party, from the feast of St. Michael next ensuing forward.

8 H. 6. c. 12.
5 El. c. 23.

ou sont ou en queux ils sont ou seront conversauntz. Et si par processe sur les ditz briefs originalx appellees ou enditementees en queux les ditz additions soient entrelessez aucunes utlagariez soient pronunciez qils soient voidez irritez & tenuz pur null & qe avant les utlagaries pronunciez les ditz briefs & enditementees soient abatuz par exception du partie par la ou en icelles les ditz additions soient enterlessez. Pürveux toutfoitz qe mesqe les dites briefs dactions personex ne soient accordauntz as recordes ou faits par la superplusage des additions suiffditz qe pour celle cause ils ne soient abatuz et qe les clerks de la chauncellerie south qi noms tiels briefs issierount escriptz ne enterlessent ne facent omission des ditz additions come dessus est dit sur peyne destre puniz affaire fyn a Roy par discretion de chancellor. Et comencera ceste ordinance a tenir lieu a seute de partie de la fest de Saint Michel proschein enavaunt.

CAP. VI.

No Welshman shall take revenge against those Englishmen which did pursue their friends in the late rebellion.

Ex edit. Rast.
Wales.

ITEM, whereas in the time of this rebellion of Wales, many of the King's lawful liege people as well Englishmen as Welshmen have been in divers parts of Wales upon the correction of rebels, there by the commandment of the same our sovereign lord the King and his council, at the which time some of the said rebels as well on horseback as on foot, found armed in making of war against their faith and liegeance were slain, and some maimed, beaten, wounded, taken and imprisoned, their goods and chattels carried away by the said liege people for the cause aforesaid, as it was well lawful, according as by our said sovereign lord the King and his council afore this time hath been ordained in this behalf, and that notwithstanding many of the said rebels being yet alive, and other next of blood to these rebels so dead with their friends

friends now daily make quarrels and great pursuit against the said faithful liege people, dwelling or resident in these parts, and in the shires being next to Wales surmising in them, that they such things as is aforesaid, to themselves or to their cousins or friends falsely have done, by the which they demand of the said faithful liege people high amends, threatening that they otherwise would be of that avenged, whereby the said faithful liege people be many times sore and grievously vexed in many parts and lordships of Wales, some of them by indictments, accusements or impeachments, and some by menaces, distresses taken, and some by their body taken and imprisoned, until that they have made gree to them in this behalf, or that they would them excuse of the death of such rebels so slain by one assauche, after the custom of Wales, that is to say by the oath of three hundred men, and of all such other trespasses before specified them acquit: to the great damage and destruction of the said faithful liege people, and evil example in time to come: it is ordained and established, That such quarrel, action, and demand be not made from henceforth by art nor by engine, to any of the faithful liege people, by any of them, which have been rebels, nor by their adherents, be he cousin, ally, or friend, nor by any other, upon pain to pay to the party grieved his treble damages, and to be imprisoned by two years after that he be convict: and moreover to make fine and ransom in this behalf before that he be delivered out of prison.

C A P. VII.

A confirmation of the statute of 13 RICH. 2. c. 3. restraining aliens to accept any benefices in England.

ITEM, whereas in the parliament bolden at Westminster, in the time of King Richard the Second, the xiii. year of his reign it was ordained, That no alien Frenchman should have nor enjoy any benefice within this realm for certain cause, which might come or happen, but that they should be delivered and voided for ever out of the realm before a certain time in the said ordinance limited, as in the same is plainly contained. And that at what time that any priories aliens conventual or any other benefice or office due by the King's title, do void by the departing or death of the said priors and other occupiers, that then there should be during the wars, honest English persons put in their place to accomplish the divine service, and none of the enemies aforesaid. And notwithstanding the said ordinance, the said aliens Frenchmen, by evil imagination and brocage to continue the evil mischiefs of the said ordinance, purchase the King's letters patents to be denizens and the King's liege people, and swear the same to continue, to the intent to occupy and enjoy the said benefices, and so yet occupy many benefices against the said ordinance, whereby these aliens Frenchmen be increased, in destruction of the King's liege people, and bear away out of the realm great treasure of the King's and of the realm's: and the King's counsel disclose to the enemies of France, to the great damage of the King and his realm: our sovereign lord the King considering the said mischiefs, will that the said ordinances be firmly holden and kept, and put in due execution, except the priors aliens conventual, and also all other priors which have institution and induction, so that they be catholic,

tholick, and that they shall find surety, not to disclose nor cause to be disclosed the counsel nor the secrets of the realm.

CAP. VIII.

All Irishmen and Irish clerks beggars, shall depart this realm before the first day of November, except graduates, serjeants, &c.

Irishmen and
Irish clerks
beggars.

ITEM, for the quietness and peace within the realm of England, and for the increase and enstoring of the land of Ireland, it is ordained and established in this present parliament, That all Irishmen and Irish clerks beggars, called chamberdeacons, be voided out of the realm, betwixt the feast of St. Michael next coming, and the feast of All Saints next following, upon pain to lose their goods, and to be imprisoned at the King's pleasure: except such as be graduates in the schools, and serjeants and apprentices of the law, and such which be inheritors in England, and religious persons professed, and except also the merchants born in Ireland of good name, and their apprentices now dwelling in England, and them with whom the King will dispense. And that all the Irishmen which have benefices or offices in the land of Ireland, shall dwell upon their offices or benefices for the defence of the land of Ireland, aforesaid.

1 H. 6. c. 3.
2 H. 6. c. 8.

CAP. IX.

The revenues of Calais shall be employed to the maintenance of it.

Calais.

ITEM, forasmuch as in the time of the noble King Edward the Third, and of King Richard the Second, all the revenues, profits, and commodities of the lands, tenements, fishing customs, and all other profits, to the said Kings belonging, in the town and marches of Calais, it was ordained to be levied by the treasurer of Calais, for the time being in supportation of the charges of the same town and marches, and since which time a great part of them have been restrained by virtue of the said letters patents to divers captains and many other persons, as well by the said King Richard as by our redoubted sovereign lord King Henry the Fourth, father of our sovereign lord the King that now is, to them thereof made, whereby some by colour of farm not reasonable, and other without any thing thereof yielding, to the great damage of the realm of England, and hindrance of the payments for the sustentation of the said town and marches to be done. And also forasmuch as divers offices of the collectors of money coming of the said revenues, customs, profits, and commodities, which the said treasurer of Calais, in the time aforesaid, ordained and assigned to sufficient persons, for whom he would answer, to tarry and be remove according as to him shall best seem to the King's profit, have been afterwards against the ancient ordinances and the statute in the parliament thereof made, by divers letters patents to divers persons as well by the said King Richard, as by our sovereign lord King Henry aforesaid, to them thereof made for term of their lives and otherwise occupied, and by colour of the said letters patents, some of them (as it is said) do the more negligently their services, without being justified by the treasurer aforesaid, to the great damage and hindrance of the payments aforesaid in times past: our sovereign

vereyn lord the King willing to eschew such damages in time to come, by the advice and assent aforesaid, and at the request of the said commons, will and hath ordained and established, That all the letters patents made to captains and other persons, whatsoever they be, as well of all manner of rents, lands, tenements, customs, fishings, and all other revenues, profits, and commodities in the said town and marches, as of the offices of collectors of all rents, customs, revenues, profits, and commodities to them thereof made before this time against the ordinances aforesaid, be wholly revoked and adnulled, and that the said revenues, profits and commodities, be resumed into the hands of our sovereign lord the King, and put upon the sustentation of the payments and charges to the said town and marches belonging. Provided always, That my lord Thomas duke of Clarence, brother of our sovereign lord the King, be not restrained by this ordinance and statute of any of his possessions in the said marches. And that no captain of castles there be put out of the said castles, nor keeping of the same by force of this ordinance or statute.

CAP. X.

By what measure purveyors and others shall take and buy corn.

ITEM, whereas in the time of the King's noble progenitors it was ordained, That one measure of the corn should be through all the realm of *England*, that is to say, eight bushels for the quarter, and that every bushel shall contain eight gallons, by force of which ordinances such measure hath been used, with a bushel of the said quarter heaped: (2) and notwithstanding the said good ordinances and usages, the purveyors of corn as well for the house of the father of our lord the King, as for the house of our lord the King, which now is, have taken before this time for the said houses continually nine bushels of wheat, and of other corn for the quarter, and that many times by measure not sealed, and also not stricken, against the will of the sellers of the same, and without due price set upon the same after the law of the land, and also cause the sellers to carry the said corn to what place that them pleaseth, without paying for the carriage: (3) and the merchants and citizens of *London*, do use to take of every feller for the quarter of wheat nine bushels by the measure, used within the said city called the *Fate*, with the bushel set upon the said fate, and yet make the sellers to pay a halfpenny for the measuring of every quarter, and take for a quarter of oats ten bushels, whereby the buyers of the corn in the country will not buy nor take for the quarter of corn, but in the same manner as the said purveyors, and they of the said city used to take, to the great hindrance and perpetual undoing of the commonalty aforesaid:

II. It is ordained and established, That all the said good ordinances be firmly holden and kept, after the effect of the same. (2) And that no purveyor of our lord the King, nor any other shall

By what mea-
sures purvey-
ors and others
shall take and
buy corn.

use hereafter to buy nor to take any corn by other measure, but eight bushels stricken for the quarter; and that none be otherwise bound to deliver for the quarter but eight bushels stricken as is aforesaid, and also that the payment be made in hand for the carriage. (3) And that if any purveyor of our lord the King, or any other person buy or take any corn otherwise, or by other measure but eight bushels stricken for the quarter, as in the said ordinances is contained, and thereof be attainted, he shall have one year's imprisonment, and pay to the King an hundred shillings, and to the party that feelth himself grieved another hundred shillings, and that as often as any of them be thereof attainted; (4) and that the party which will sue, have an action grounded upon the case, (5) and that the justices of the peace have power to enquire and hold plea of all these things aforesaid, and upon that make punishments as is aforesaid, as well at the suit of the King, as of the party: (6) and that from henceforth nothing be taken for the measuring of such corn in any wife.

4 Ed. 3. c. 3.
25 Ed. 3. stat. 5.
c. 1.
36 Ed. 3. c. 2.
11 H. 6. c. 8.
11 H. 7. c. 4.
22 Car. 2. c. 24.

Statutes made at *Leicester*, Anno 2 HEN. V. stat. 1.
and *Anno Dom.* 1414.

OUR lord the King, at his parliament holden at Leicester the last day of April, the second year of his reign, by the advice and assent of the lords spiritual and temporal, and at the special instance and request of the commons of his realm in the same parliament assembled, hath ordained and established divers ordinances, declarations, and statutes made in the form as followeth.

Nostre seigneur le Roy a son parlement tenuz a Leycestr' le darrein jour de April lan de son regne seconde de ladvis & assent des seignurs esperituelx & temporelx & a les especiales instance & request des communes de son roialme en mesme le parlement esteantz ad ordeigne & estable diverses ordinances declarations & estatutz en la fourme qensuyt.

C A P. I.

Ordinaries shall inquire of, and reform the estates of hospitals.

The causes of
the erection
of hospitals.

FIRST, forasmuch as many hospitals within the realm of England, founded as well by the noble Kings of this realm, and lords and ladies both spiritual and temporal, as by divers other estates, to the honour of God and of his glorious mother, in aid and merit of the souls of the said founders, to the which hospitals the same

EN primes pur taunt que plusieurs hospitalx dedenz le roialme dEngleterre foun-
duz sibien par les nobles Rois de mesme le roialme & seignurs & dames esperituelx & temporelx come par autres de diverses estates al honeur de Dieu & de sa gloriouse meere en eide & merit des almes de les

les ditz foundours as queux hospitalx mesmes les foundours ont donez grandement de lour biens moebles pure ledifications dicelles & grandement de lour terres & tenementz pur ent sustener viegles hommes & femmes lazars hommes & femmes hors de lour sennes & memories povres femmes enseinte & autres povres & la nurrir relever & refresser en ycelles sont ore pur la greindre partie enchiez & les biens & profitz dicelles par diverses personnes esperituelx & temporelx retraitz & dependuz en autri oeps paront plusieurs hommes & femmez ont moruz en graund meschief pur defaute de eide vivre & socour al displeissance de Dieu & perill des almes de tieux malveis despendours le Roy nostre seignur tressoverain considerant les meritories & devoutes ententes de les foundours avaunt ditz & auxi les malveis & insolent governance en ycelles euz del advis & assent susdit ad ordeigne & establie qe quant as hospitalx queux sont del patronage & fundacion le Roy les ordenairs par vertue des commissiions le Roy a eux adressez enquergerent del maner de la fundacion des ditz hospitalx & de la governance & estat dicelles & de toutes autres matiers en ceste partie necessaires & besoignables & enquisitions ent pris certiffient en la chauncellerie le Roy. Et quant as autres hospitalx qz sont dautri fundacion & patronage qe de Roy les ordenairs enquergerent del manere de la fundacion estat & governance dicelles & de toutz autres maters & choses besoignables celle partie & sur ce facent ent correction & reformation selonc

same founders have given a great part of their moveable goods for the buildings of the same, and a great part of their lands and tenements, therewith to sustain impotent men and women, lazars, men out of their wits, and poor women with child, and to nourish, relieve, and refresh other poor people in the same, be now for the most part decayed, and the goods and profits of the same, by divers persons, as well spiritual as temporal, withdrawn and spent in other use, whereby many men and women have died in great misery for default of aid, living, and succour, to the displeasure of God, and peril of the souls of such manner of spenders: (2) the King our soveraign lord, considering the meritorious and devout intents of the founders aforesaid, and the unaccustomed government in the same, hath by the advice and assent aforesaid, ordained and established, that as to the hospitals which be of the patronage and foundation of the King, the ordinaries, by virtue of the King's commissions to them directed, shall inquire of the manner and foundation of the said hospitals, and of the governance and estate of the same, and of all other matters necessary and requisite in this behalf, and the inquisitions thereof taken shall certify to the King's chancery. (3) And as to other hospitals which be of another foundation and patronage than of the King the ordinaries shall inquire of the manner of the foundation, estate, and governance of the same, and of all other matters and things necessary in this behalf, and upon that make thereof correction and reformation according to the

Ordinaries shall inquire of and reform the foundation, estate, and government of hospitals.

the

the laws of holy church, as to
them belongeth.

selonc les loies de seinte eglise
come a eux appartient.

CAP. II.

*A Corpus cum causa, or Certiorari to remove him who is
in execution at another man's suit.*

F. N. B. 242.

ITEM, forasmuch as many men have been condemned in the courts of our lord the King, and in the courts of his progenitors, as well within the city of London, as in other cities and boroughs within the realm of England, and by the virtue of such condemnations have been committed to the prison of our lord the King, there to remain until they have made agreement to the plaintiffs to whom they were condemned; (2) after by their suggestion made in the chancery of our lord the King, they have had divers writs called Certiorari, and Corpus cum causa, out of the chancery of our said lord the King, directed to the sheriff, or keepers of the prisons where such persons condemned be holden, to have their bodies, with the cause of imprisonment of the condemned aforesaid, in the chancery, at the days contained in the said writs; (3) after which writs, together with the body, and the cause of the condemnation, returned in the chancery aforesaid, the said persons so condemned have been delivered in the chancery aforesaid, by bail or by mainprise, or enlarged without bail or mainprise, against the assent and will of the said plaintiffs, and without any agreement made to the said plaintiffs of the sums in the which they be condemned, against the law of the land; and so remain the said plaintiffs without remedy, in hindrance of the state of such plaintiffs, and in defeating of the judgments given in the courts aforesaid.

ITEM pur ceo qe plusieurs gentz ont estez condempnez en les courtz nostre dit seigneur le Roy & en les courtz de sez nobles progenitours si bien deinz la Citee de Londres come en autres citees & burghs deinz le roialme d'Engleterre & par vertue de tielx condempnations ont estez commis a la prison nostre seigneur le Roy pur y demorer tanqe ils ont fait gree as pleintifs vers queux ils furent condempnez & apres par lour suggestions faitz en la chauncellerie nostre seigneur le Roy ont euz diverses briefs appelez Certiorari corpus cum causa hors de la chauncellerie nostre seigneur le Roy directz as viscountz ou gardeins des prisons ou tielx gentz condempnez sont detenuz pur avoir lour corps ove la cause denprisonnement de les condempnez suidditz en la chancellerie as jours contenuz en les ditz briefs apres queux briefs ensemblement ove le corps & la cause de condempnation retournent en la chauncellerie suiddite les ditz gentz issint condempnez ont estez deliverez en la chauncellerie avaunt dit par baillie ou par mainprise ou a large sanz baillie ou mainprise encontre l'assent & volente des ditz pleintifs & sanz aucun gree faire as ditz pleintifs de les sommes en queux ils sont condempnez encontre la leie de la terre & issint demurent les ditz pleintifs sanz remede en anientement de lestat

stat de tielx pleintifs & en defaunce des juggementz renduz en les courtz avaunt ditz nostre dit seignur le Roy voillant en faire remedie del advys & assent avaunt ditz & a la requeste des communes suisdites ad ordeigne & establie qe si aucun tiel brief de Certiorari corpus cum causa soit graunte ou serra graunte en temps avenir & sur le dit brief soit retourne qe le prisoner qest issint detenu en prisone soit condempne par juggement qe maintenant soit remande ou demurge continuelment en prisone solonc la ley de la terre sanz estre lessiez aler par baillie on par mainprise encontre la volonte des pleintifs susditz tanqe lour soit fait gree de les sommes issint adjuggez.

foresaid: (4) Our lord the King, willing herein to provide remedy, by the advice and assent aforesaid, and at the request of the foresaid commons, hath ordained and established, That if any such writ of *Certiorari*, or *Corpus cum causa*, be granted, or shall be granted at any time hereafter, and upon the said writ if it be returned, that the prisoner which is so holden in prison is condemned by judgment given against him, that presently he shall be remanded, where he shall remain continually in prison according to the law and custom of the land, without being let to go by bail or by mainprise against the will of the said plaintiffs, until agreement be made to them of the sums so adjudged.

If a *Corpus cum causa* or *Certiorari* be granted to remove him that is in prison upon an execution at another man's suit, he shall be remanded.

C A P. III.

A copy of the libel in the spiritual court shall be delivered.

ITEM pur ceo qe diverses lieges nostre seignur le Roy sont citez de jour en autre daparoir en courte christiene devaunt juges esperituelx a y respondre as diverses persones si bien des choses qe touchent frank tenement dette trespasses covenantz & autres des queux la conissance appertient al courte nostre seignur le Roy come de matrimonie & testament & qant tielx persones issint citeez appiergent & demandent un libell de ceo qe lour est surmys pur estre enforme a doner lour respons illoques ou autrement a purchacer brief nostre seignur le Roy de prohibition selonc lour cas quell libell lour est denie par les ditz juges espirituelx al entent qe tielx persones ne serront mye par nul tiel

ITEM, *forasmuch as divers of the King's liege people be daily cited to appear in the spiritual court before spiritual judges, there to answer to divers persons, as well of things which touch freehold, debt, trespasses, covenants, and other things whereof the cognisance pertaineth to the court of our lord the King, as of matrimony and testament; (2) and when such persons so cited appear and demand a libel of that which against them is surmised, to be informed to give their answer thereunto, or otherwise to purchase a writ of our lord the King, of Prohibition, according to their case, which libel to them is denied by the said spiritual judges, to the intent that such persons should not be aided by any such writ against the law, and to*

12 Co. 61.

13 Co. 41.

1 Lutw. 134.

Cro. Jac. 37.

3 Bulstr. 51.

120.

the

A copy of a libel grantable in the spiritual court shall be presently delivered upon the defendant's appearance.
Rast. 483.

the great damage of such persons so impleaded : (3) Our said lord the King, by the advice and assent of the lords spiritual and temporal, and at the request and instance of the said commons, hath ordained and established, That at what time the libel is grantable by the law, that it may be granted and delivered to the party without any difficulty.

tiel brief aidez encontre ley & as grandes damages de tielx perſones iſſint empledez. Nostre dit seigneur le Roy del advis & assent iusditz & a la prier des ditz communes ad ordeigne & establie qe a quelle heure la copie de la libell est grauntable par la ley quil soit graunte & livre a la partie sanz difficulte.

CAP. IV.

What justices of peace must be resident in the same shire ; and at what times they must hold their quarter-sessions.

ITEM, forasmuch as the servants and labourers of the shires of the realm do flee from county to county, because they would not be justified by the ordinances and statutes by the law for them made, to the great damage of gentlemen and others, to whom they should serve, because that the said ordinances and statutes for them ordained be not executed in every shire ; (2) our lord the King, willing in this case to provide a remedy, by the advice and assent aforesaid, and at the request of the said commons, hath ordained and established, That the statute of labourers made at *Canterbury*, and all other good statutes of labourers made, and not repealed, be firmly holden and kept, and put in due execution. (3) And moreover, That the justices of peace have power to send their writs for such fugitive labourers, to every sheriff of the realm of *England*, and to make such process as the statute requireth, to bring them before them to answer to our sovereign lord the King, and to the parties, of the contempts and trespasses made or done against the ordinances and

ITEM pur tant qe les servants & laborers des countees du roialme sensuent des countees es countees a cause qils ne voudrent estre justifiez par les ordeignances par ley sur eux faitz a graunt damage des gentils & des autres as queux ils serverent a cause qe les ditz ordeignances & estatutz sur eux faitz ne sont mye executz en toutz countees nostre seigneur le Roy voillant purvoir de remedie cest partie del assent & advys avantditz & a la request des ditz communes ad ordeigne & establie qe lestatut de laborers fait a *Cantebrigg* & toutes autres bones estatutz des laborers faitz & nient repellez soient fermement tenez & gardez & mys en due execution. Et outre ceo qe les justices du pees eient poair de mander leur briefs pur tielx laborers fugitifs a chescun viscount d'Engleterre & de faire autielx processies come lestatut des laborers requiert pur eux amener devant eux a respondre a nostre seigneur le Roy & a les parties des contemptz & trespasses faitz encontre les ordeignances & estatutz iusditz en maner come les ditz justices ont poair de

12 R. 2. c. 3.
&c.
Justices of the peace may send their writs for fugitive servants or labourers to every sheriff of *England*.
Rep. 5 El. c. 4.

de mander a chescun viscount pur larons devaunt eux enditez. Et auxi qe toutz les estatutz & ordeignances des laborers servantz & artificers devant ces heures faitz & nient repellez soient exemplifiez desoutz le graunt seal & mandez a chescun viscount d'Engleterre dont faire proclamation en pleine countee & puis celle proclamation faite qe chescun viscount face deliverer la dite exemplification a luy direct as justices de la pees en son countee nomez en la quorum ou a un de eux a demurer envers tielx justices qi sont ou ferront pur le miex mettre les ditz estatutz & ordeignances en due execution. Et es countees ou diverses commissions de la pees sont faitz soient atantz des exemplifications des estatutz & ordeignances avaunt ditz faitz come sont commissions de la pees en mesme le countee & mandez a viscount a faire proclamation & les liverer come dessus est dit.

Et qe les justices de la pees en chescun countee nomez en la quorum reseantz deinz mesme le countee exceptz seignurs nomez en la commission de pees & auxi exceptz les justices de lun banc & de lautre chief baron de leschequer sergeantz de la leie & attournes du Roy pur le temps qe mesmes les justices chief baron sergeantz & attournes sont entendantz & occupiez en les courtz du Roy ou ailleurs occupiez en service le Roy facent lour sessions quatre foits par en cestassavoir en la primer semaine apres le fest de Seint Michel & la primer semaine apres le fest de Tiphaine & en la primer semaine apres le clause de

pass

and statutes aforesaid, in like manner as the justices have power to send to every sheriff for the felons before them indicted (4) And also that all the statutes and ordinances of labourers, servants, and artificers, before this time made, and not repealed, be exemplified under the great seal, and sent to every sheriff of the realm of *England*, thereof to make proclamation in full county, and after this proclamation so made, that every sheriff shall cause the said exemplification to him directed, to be delivered to the justices of the peace in his county named of the *quorum*, or to one of them, to remain with such justices which be, or shall be, for the better putting of the foresaid statutes and ordinances in due execution. (5) And in shires where divers commissions of the peace be made, there shall be so many exemplifications of the statutes and ordinances aforesaid made, as be commissions of the peace in the same shires, and sent to the sheriff to make proclamation, and to deliver the same, as is afore said.

II. And that the justices of the peace in every shire named of the *quorum*, be residing within the same shire, except lords What justices of peace and *quorum* must be resident in the same shire, at what not. named in the commission of the peace; and also except justices of the one bench, and of the other, the chief baron of the exchequer, sergeants at the law, and the King's attorney, for the time that the same justices, chief baron, sergeants at the law, and the King's attorney, be intending and occupied in the King's courts, or otherwise in some other place

oc-

At what times
justices of the
peace shall
hold their
quarter
sessions.

36 Ed. 3. c. 12.

12 R. 2. c. 10.

Twice in the
year sufficient
in Middlesex
by 14 H. 6. c. 4.

Justices of
peace may ex-
amine labour-
ers, servants,
and other ma-
sters, and ar-
tifiers, by
their oaths.

occupied in the King's service; (2) and make their sessions four times by the year, that is to say, in the first week after the feast of Saint *Michael*, and in the first week after the *Epiphany*, and in the first week after the clause of *Easter*, and in the first week after the translation of Saint *Thomas* the martyr, and more often, if need be. (3) And that the same justices, hold their sessions throughout the realm of *England* in the same weeks every year from henceforth. (4) And also that the justices of peace from henceforth have power to examine as well all manner of labourers, servants, and their masters, as artificers, by their oaths, of all things by them done contrary to their said ordinances and statutes, and upon that to punish them upon their confession, after the effect of the statutes and ordinances aforesaid, as though they were convicted by inquest. (5) And that the sheriff in every shire of the realm of *England* shall do well and duly his office in this behalf, upon pain to lose and to forfeit to our lord the King twenty pounds.

past & en la primer semaine apres la translation de Seint Thomas le martir & puis sovent si mestier soit. Et que mesmes les justices tieignent leur sessions parmy tout Engleterre en mesmes les semaines chescun an desore en avant & auxi que les justices de la pees desormes eient poair d'examiner sibien toutz maners laborers servantz & leur mestres come artificers par leur serementz de toutz maters & choses par eux faitz a contrarie des estatutz & ordinnances avaunt-ditz & sur ceo de les punir sur leur conissance selonc leffect de les estatutz & ordeignances avaunt-ditz sicome ils fuerent conviçtz par enquest. Et que le viscount de chescun countee en Engleterre face bien & duement son office celles parties sur peyn de perdre au Roy xx livres.

C A P. V.

Process against felons dwelling in Tyndal or Exhamshire in Northumberland.

4 Inst. 278.

ITEM, forasmuch as by the commons of the county of Northumberland grievous complaints have been made to our sovereign lord the King in this present parliament, for that many murders, treasons, manslaughter, robberies, and divers other offences, to many of the faithful liege people of the same county, by people dwelling in the same county within the franchise of Tyndal and Exhamshire, where the King's writ runneth not, now of late have been perpetrated otherwise than have been done or known before this

ITEM pur ceo que depar les communes del countee de Northumbr' ont este faitz trefgrevouses complements a nostre tres souveraine seigneur le Roy eu cest present parlement de ceo que plusieurs murders treasons homicides roberies & autres malfaitz a plusieurs sez loialx lieges de mesme le counte par gentz demurrantz en icell countee dedeins les franchises de Tyndale & Exhamshire ou le brief le Roy ne court mys ja tarde ont este perpetrez autrement que nont este faitz ou conuz

conuz pardevant atant de peril de les ditz lieges du Roy qe sanz due remedie celle partie mettre ils noferent a y demorer longement enavant a cause qe tielx malefours sont ensi favorez par tielx franchises. Notre dit seigneur le Roy del avis and assent avantdits & al request des ditz communes ad ordeigne & establie qe si ascune persone des ditz franchises de Tyndale & Exhamshire resceant ou demurant deinz ycelles de quell estat ou condition il soit face murders trecons homicides ou robberies ou consent de les faire hors des ditz franchises de Tyndale & Exhamshire processe soit fait devers luy par la commune leie tanqe il soit utlage & qe apres tiele utlagarie pronouncie & retourne facent ent les justices devaunt queux tiele utlagarie soit retourne certification a tieux ministres ou a tiel ministre des ditz franchises come a eux semblera meulz celle partie solonc lour discretion & soit tiel feloun pris par tiel ministre ou tielx ministres & ses terres & tenementz biens & chateux esteantz deinz icelles franchises seisez es mains des seignurs de mesmes les franchises de Tyndale & Exhamshire pur le temps esteantz come forfaitz & qe les autres terres & tenementz biens & chateux de tiel selon esteantz hors de mesmes les franchises demurgent entirement au Roy & as autres seignurs aiantz ent franchises come forfaitz savant toutzfoitz au Roy les forfaitures dautiels murdrours traitours homicides robbours & autres malefours queconques & dautres choses queux a luy appartiegnent come de droit de la corone.

this time, to so many perils of the said liege people of our lord the King, that without due remedy in this behalf provided, they dare no longer there dwell, because that such offenders be so favoured by such franchises; (2) our said lord the King, by the advice and assent aforesaid, and at the request of the said commons, hath ordained and established, That if any person of the said franchises of Tyndal and Exhamshire, resiant or dwelling in the same, of what estate or condition that he be, do any murders, treasons, manslaughterers, or robberies, or consent to do them, out of the said franchises of Tyndal and Exhamshire, process shall be made against him by the common law, until he be outlawed; (3) and that after such outlawry pronounced and returned, the justices before whom such outlawry is returned, shall make thereof certificate to such minister or ministers of the said franchises, as to them shall seem best in this behalf, according to their discretion; (4) and such felon shall be taken by such minister or ministers, and his lands and tenements, goods and chattels, being within the same franchise, seised into the hands of the lords of the same franchises of Tyndal and Exhamshire for the time being, as forfeit; (5) and that the other lands and tenements, goods and chattels of such felon, being out of the same franchises, shall wholly remain to the King, and to other lords having thereof franchise, as forfeit; (6) saving always to the King the forfeitures of such murderers, traitors, manslaughterers, robbers, and other

The penalty of offenders dwelling in Tyndal, &c. who shall commit any robbery, &c. out of the same precincts.

9 H. 5. c. 7. other offenders, and of other things which to him do belong
 24 El. c. 13. as of the right of his crown.

CAP. VI.

*Breaking of truce and safe conduits shall be high treason.
 In every port there shall be a conservator of the peace and
 safe conduits.*

4 Inst. 152. some have broken truces and safe conduits, and others have received and maintained them.

29 H. 6. c. 2.

ITEM, forasmuch as before this time divers people, comprised within the truces made as well by our lord the King that now is, as by his noble father, and also divers other people having safe conduits, as well of our lord the King that now is, as of his noble father, have been some slain, robbed and spoiled, by the King's liege people and subjects, as well upon the main sea, as within the ports and coasts of the sea of England, Ireland, and of Wales, whereby the said truces and safe conduits have been broken and offended, to the great dishonour and slander of the King, and against his dignity; (2) and the said manslaughter, robbers, spoilers, and offenders, of the said truces and the King's safe conduits, as is afore declared, have been by divers of the King's liege people and subjects within the coasts of divers counties, received, abetted, procured, concealed, hired, sustained, and maintained: (3) our said lord the King, by the advice and assent afore said, and at the request of the said commons, hath ordained and declared, That such manslaughter, robbery, spoiling, breaking of truce and safe conduits, and voluntary receipt, abetment, procurement, concealing, hiring, sustaining, and maintaining of such persons, to be done in time to come by any of the King's liege people and subjects within the realm of England, Ireland, and Wales, or upon the main sea, shall be adjudged and

ITEM pur ceo qe devant ces heures diverses gentz comprizez deinz les triveues sibien faitz par nostre seigneur le Roy qore est come par son trefnoble pier et auxi autres diverses gentz aiantz fausconduitz sibien de nostre dit seigneur le Roy qore est come de son dit trefnoble pier ount estez ascuns tueez ascuns robbes & despoillez par les lieges & subgitz de Roy sibien sur le haut mer come deinz les portz & costes de meer d'Engleterre d'Ireland & de Gales parount les ditz triveues & fausconduitz ount estez rumpez & offenduz a grande dishonore & desclaundre de Roy & encountre sa dignite. Et les ditz tueurs des hommes robbours spouilleurs & offendours de les ditz triveues & fausconduitz du Roy come dessus este declaree ount este par diverses lieges & subgitz de Roy deinz les costes de diverses countees recettez abettez procurez counseillez loueez sustenez & maintenez. Nostre dit seigneur le Roy del advis & assent suifditz & al priere des dites communes ad ordeine & declaree qe tielx tuerie robborie espoillerie rumperie des triveues & fausconduitz de Roy & voluntaries receit abettement procurement counseill louere sustenance & maintenance de tielx persones affaires en temps avenir par ascuns des lieges & subgitz de Roy deinz les roialmes d'Engleterre d'Ireland & Gales

Breaking of truce and safe conduits shall be high treason.

Rep. 10 H. 6. c. 11.

1 Ed. 6. c. 12.

1 M. sess. 1.

Gales ou sur le haut meer soient adjudgez & determinez pur haut treson fait encountre la corone & dignite de Roy. Et qe en chescun port de meere soit faite & assigne desore enavaunt par le Roy par sez lettres patentz un loial homme appelle conservateur des trieues & fausconduitz de Roy q' ait xl. liveres du terre par an a meyns. Et qe le dit conservateur ait poair & auctorite par les ditz lettres parentz & auxi par commission del. admiral d'Engleterre denquerer de toutz tielx tresons & offenses affaires encountre les trieues & fausconduitz de Roy sur le haut meere hors des corps des countees & hors del fraunchise des cink portz de Roy come les admiralles des Roys d'Engleteere devant ces heures resonablement solonc launcien custume & leye sur le meere usez ount faitz ou usez. Et ensement qe le dit conservateur ait autiele & mesme le poair de punir toutz ceuz q' sount ou ferount enditez ou accusez devaunt luy sibien a suyte de Roy come a suyt de partie d'aucune chose affaire encountre les trieues & fausconduitz de Roy sur le haut meere hors des corps des countees & libertees de roialme d'Engleterre & hors de le dit fraunchise de cynk portz parties proces examination proves determination juggement & execution come les admiralles des Roys d'Engleterre devant ces heures resonablement solonc launcien custume & ley sur la meere usez ount faitz ou usez.

Forse qe la determination de mort de homme cest partie & l'execution dicell soient tutditz reservez a dit admirall ou

Vol. III.

and determined for high treason done against the King's crown and his dignity. (4) And in every port of the sea A conservator shall be made and assigned of the truce from henceforth by the King, shall be appointed in every port of by his letters patents, one lawful man called a conservator of the sea. the truce and the King's safe conducts, which shall have forty pounds lands by the year at the least. (5) And that the conservator have power and authority by the said letters patents, and also by commission of the admiral of *England*, to inquire of all such treasons and offences to be done against the truce and safe conducts upon the main sea, out of the body of the counties, and out of the franchises of the five ports of the King, as the admirals of the Kings of *England* before this time reasonably, after the old custom and law on the main sea used, have done or used. (6) And also that the said conservator have like and the same power to punish all them which be or shall be indicted or accused before him, as well at the King's suit as at the party's, of any thing to be done against the truce and the King's safe conducts upon the main sea, out of the body of the counties and liberties of the realm of *England*, and out of the franchise of the five ports, by such process, examination, proofs, determination, judgment, and execution, as admirals of the Kings of *England* before this time reasonably, according to the old custom and law upon the main sea used, have done or used.

II. Saving the determination The determination of the death of a man in this behalf, and the execution of death of a man excepted out the

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excite, or abet them, or any of them, to do any tuing contrary to this ordinance and oath aforesaid, that every of them shall make due relation to our sovereign lord the King, or to the chancellor of *England* for the time being, as speedily as he well may, without concealment in any point, upon pain of imprisonment, and to make fine and ransom at the King's pleasure. (13) And that the said

The conservator shall have a seal.

The office of the master and possessor of a ship.

What shall be inrolled by the conservator.

The conservator shall be informed of all things taken from the King's enemies by the mariners.

conservator have a seal of our lord the King ordained for the said office. (14) And that the master of the ship, barge, or balinger, or other vessel in the said port, be sworn, and the possessor also, if he be present, before the said conservator, before that he pass out of the said port, that he shall not attempt to do any thing against the said truce and the King's safe conducts. (15) And also that the said conservator shall cause to be inrolled of record before him, as well the names of such owners and masters, as the names of their ship, barge, balinger, or other vessel, together with the number of the mariners in the same being. (16) And if they take any thing of the King's enemies, or of any others, they shall cause to be brought such things taken into the port, and thereof make full information to the said conservator, before that they thereof make discharge or sale; if it be not that by force of wind, tempest, or of enemies, or some other reasonable cause, such ship, barge, balinger, or other vessel, must enter into another port for the preservation of the same vessel, or other cause reasonable; and that then they shall make full information to the

voluntée nostre seigneur le Roy. Et que le dit conservateur ait un seal de Roy ordeigne pur le dit office. Et que le maistre de nief barge balenger ou autre vessel en le dit port soit jurre & le possesseur auxi fil soit present devant le dit conservateur avant quil passe hors de dit port quil n'attamptera riens encontre les ditz tricies & fausconduitz de Roy. Et que le dit conservateur face enroller de record devant luy sibien les nouns de tielx possesseurs & maistres come les nouns de leur nief barge balengere ou autre vessel ensemble oveque le nombre des mariners en icell esteantz. Et s'ils preignent riens des enemys de Roy ou d'autres qiconques qils tiele prise ferrount amener en le dit port & ent ferrount pleine enformation a dit conservateur devant qils ent facent descharge ou vende si ne soit que par force de vent de tempest ou des enemys ou autre cause resonable tiel nief barge balengere ou autre vessel doit entrer en autre port pur salvation de mesme le vessel ou autre cause resonable. Et qils adonques facent plein enformation a dit conservateur ou a le conservateur de le port en quell les ditz vesselx arriveront ou entreront de la dite prise & de la quantite dicelle pregnant lettre testimoniale soutz le dit seal de le dit conservateur par quele le conservateur de le port dount les vesselx ou vessel issiront ou issit purra avoir notice de la quantite & value des biens issint prisez. Et si ascun possesseur ou mestre dascun nief ou autre vessel ise hors dascun port du roialme ou face descharger son nief ou vessel encontre la fourme diceste ordinance

nance qe tiel nief ou vessell ensemble ovesqe la prise par ycell duement fait soit forfaita a Roy & le corps du possesseur ou maitre de tiel nief ou vessell commys a prisone a y demorer tange il eit fait fyn & rancon a Roy.

L'urveu qe nulles possesseurs des niefs issantz hors dascun port ne face fyn ou rancon neient emprisonement du corps si mesmes les possesseurs ne soient en mesmes les niefs en temps de mesprisison encontre ceste ordenance faite. Et ait le admirall avantdit les forfaitures en toutz cascs hors de la dite franchise de cynk portz avantditz come il ad eu & ad este accoustume de droit al office del admirall dEngleterre avant la fefance de ceste ordeignance. Et qe toutz tieux conservateurs affairez dedeinz les ditz cynk ports eient mesme lauctorite & poair par lettres patentz du Roy & commission del gardein de mesmes les ports pur le temps estant denquerer de tielx offenses affaires sur le haute meer dedeinz les franchises des ditz cynk ports dehors les corps des countees & de punir toutz ceux qi ferront devant ycell conservatour de mesmes les offenses enditez ou accusez par autiels proces examination proves determination jugement & execution come les ditz admirals resonablement solonc l'ancien custume & ley sur le meer usez ont faitz & usez hors de la dite franchise de cynk ports forsqe qe la determination de mort de homme celle partie & l'execution dicell soient dedeinz mesme la franchise de les cynk ports reservez a dit gardein ou a son lieutenant general illoeqes. Et qe mesme

the said conservator, or to the conservator of the port in which the said vessels arrive or enter, of the prize, and of the quantity of the thing, receiving a letter testimonial under the said seal of the aforesaid conservator, by the which the conservator of the said port, whereof the vessel or vessels shall go out, may have notice of the quantity, and also of the value of the goods and chattels so taken. (17) And if any possessor or master of any ship or other vessel, go out of any port of the realm of *England*, or discharge his ship or vessel against the form of this ordinance, that such ship or vessel, together with the prize taken in the same duly made, shall be forfeit to the King, (18) and the body of the possessor or master of such ship or vessel committed to prison, there to remain until he hath made a fine and ransom to the King.

III. Provided always, That no possessors of ships going out of any port shall make any fine nor ransom, or have imprisonment of body, if the same possessors be not in the same ships at the time of the offence committed against this ordinance.

(2) And the said admiral shall have the forfeitures in all cases out of the same franchise of five ports aforesaid, as he hath had, and hath been accustomed of right to the office of the admiral of *England*, before the making of this ordinance. (3)

And that all such conservators to be made within the said five ports have the same authority and power by the King's letters patents, and commission of the warden of the same ports for the time being, to inquire

What forfeitures the admiral shall have.

The authority of the conservators within the five ports.

Sheriff.

Conifance of
heresy.

Mainprife.

writers of such books, as well of the sermons as of their schools, conventicles, congregations, and confederacies. And that this clause be put in commissions of the justices of the peace. And if any persons be indicted of any points aforesaid, the said justices shall have power to award against them a *Capias*, and the sheriff shall be bound to arrest the person or persons so indicted as soon as he may them find by him or by his officers. *And for as much as the conifance of heresy, errors, and lollardries belonging to the judges of holy church, and not to secular judges*: such persons indicted shall be delivered to the ordinaries of the places or to their commissaries, by indentures betwixt them to be made, within x. days after their arrest, or sooner if it may be thereof to be acquit or convict by the laws of holy church, in case that these persons be not indicted of any other thing, whereof the conifance belongeth to the secular judges and officers, in which case, after that that they be acquit or delivered before the secular judges of such things, to the secular judges belonging, they shall be sent in safeguard to the said ordinaries, or to their commissaries, and to them delivered by indentures, as before to be acquit or convict of such lollardries, errors, or heresies, as is aforesaid, after the laws of holy church, and that within the term aforesaid. *Provided always, That the said indictments be not taken in evidence, but for information before the spiritual judges against such persons so indicted, but that the ordinaries commence their process against such persons indicted in the same manner as though no indictment were, having no regard to such indictments.* And if any be indicted of heresy, error, or lollardry, and taken by the sheriff or other officer, he shall be let to mainprife within the said x. days by good surety, for whom the said sheriffs or other officers will answer, so that the said person or persons, which were so indicted, be ready to be delivered to the said ordinaries or to their commissaries before the end of the said ten days, if he may by any means for sickness. And every ordinary shall have sufficient commissaries or commissary dwelling in every county in a place notable, so that if any such person so indicted be taken, that the said commissaries or commissary may be warned in the notable place where he dwelleth, by the sheriff or some of his officers, to come to the King's gaol in the same county, there to receive the same person so indicted by indentures as before. And that in the inquest in this case to be taken, the sheriffs and other officers, to whom it belongeth shall do to be impaneled good and sufficient persons, not suspected nor procured, that is to say, That every of them which shall be so impaneled in such inquest, have within the realm of *England* an hundred shillings of lands, tenements, or of rent by year, upon pain to lose to the King's use ten pound, and they which shall be impaneled in such inquests in *Wales*, every of them shall have to the value of xl. s. by year. And if any such person be arrested, be it by the ordinary or by the King's officers or ministers, and escape or break the prison before that he be acquit before the ordinary, the goods, and chattels, which he had the day of such arrest, shall be forfeit to the King and his lands and tenements, which

which he had the same day, seized also into the King's hands, the King shall have the profits thereof from the said day until he be yielded to the prison from which he escaped. And that the foresaid justices have full power to enquire of all such escapes, breaking of prison, and also of lands and tenements, goods, and chattels of such persons so indicted. *Provided also, That if any such person indicted do not return to the said prison, and dieth not convicted, it shall be lawful to his heirs to enter into the lands and tenements of their ancestor, without any other pursuit making to the King for this cause, and that all they which have liberties and franchises royal in England, as in the county of Chester, the county and liberty of Durham, and other like, and also all the lords which have jurisdiction and franchises royal in Wales, where the King's writs do not run, have power to execute and put in due execution these articles in all points by them or by their officers, in like manner as the justices and other the King's officers before declared should do.*

R. 2. stat. 2.
C. 5.
H. 4. c. 25.
H. 8. c. 14.
Repealed by
Ed. 6. c. 12.
Eliz. c. 1.

CAP. VIII.

Commissions shall be awarded to enquire of a riot, and of the justices default therein.

ITEM come contenu soit en lestatut fait lan tresziesme del tresoneble Roy HENRY pierre a nostre seigneur le Roi qore est entre autres qe si ascun riote assemblee ou route des gentz encontre la leye se feroit en ascune partie de roialme adonques les justices du pees trois ou deux de eux au meyns & le viscount ou soutez viscount de counte ou tiele riote assemblee ou route se feroit enapres viendrent ove le poair du dit counte si boisoigne seroit pur eux arester & eux arestrent & eussent mesmes les justices viscount ou south-viscount poair de recorder ceo qils troverent ensi fait en lour presence encountre la leie et qe par le record de mesmes les justices viscount ou southviscount serroient tielx trespassours ou malfesours convictedz en manere & fourme come est contenu en lestatut de forcibles entrees. Et sil avient droit qe tielx trespassours & malfesours fussent departiez devant le venue des ditz justices &

ITEM, whereas it is contained in the statute made the thirteenth year of the noble King HENRY, father to our lord the King that now is, amongst other things, *That if any riot, assembly, or rout of people against the law be made in any part of the realm, then the justices of the peace, three or two of them at the least, and the sheriff or under-sheriff of the county where such riot, assembly, or rout shall be made hereafter, shall come with the power of the said county, if need were, to arrest them, and them should arrest; (2) and the same justices, sheriff, or under-sheriff, should have power to record that which they found so done in their presence against the law; and that by record of the same justices, sheriff, or under-sheriff, such trespassers or offenders should be convicted in manner and form as is contained in the statute of forcible entries. (3) And if it happen that such trespassers or offenders were departed before the coming of the justices, sheriff, or under-sheriff, that the same justices, three or two*

A rehearal of the statute of 13 H. 4. c. 7. provided against those that commit any riot, rout, or unlawful assembly.

of

of them should diligently inquire within a month after such riot, assembly, or rout of people so made, and the same hear and determine according to the law of the land; (4) and if the truth could not be found in manner as afore is said, within a month then next ensuing, the said justices, three or two of them, and the sheriff or under-sheriff, should certify before the King and his council all the deed and circumstance of the same; which certificate shall be of like force as the presentment of twelve men, upon which certificate the said trespassers and offenders shall be put to answer, (5) and they which be found guilty, should be punished according to the discretion of the King and his council. (6) And moreover, that the justices of peace dwelling nearest in every county where such rout, assembly, and riot of people should be made hereafter, together with the sheriff or under-sheriff of the same counties, and also the justices of assises for the time that they shall be in their sessions, in case that any such riot, assembly, or rout be made in their presence, shall make execution of this statute, every one of them upon pain of an C. li. to be paid to the King, as often as they shall be found in default of execution of the same statute. (7) And forasmuch as many riots, routs, and assemblies, have been made in divers parts of the realm, since the making and proclamation of the same statute, because that the same statute hath not been put in due execution, as our sovereign lord the King hath perceived by divers and grievous complaints to him made in this present parliament; (8) the same our lord the King, willing hereof to provide a better remedy, by the advice and assent afore-said, and at the suit of the said commons,

*& viscont ou southviscont qe mesmes les justices trois ou deux de eux enquergerent diligement deins un moys apres tiel riote assemble ou route des gentz ensi faitz & ent oierent & terminerent solonc la leye de le terre et si la verite ne purroit estre trove en maner come devant est dit adonques deins un moys lors profchein ensuant certifierent les ditz justices trois ou deux de eux & le viscount on south-viscount suisditz devant le Roy & son conseil tout le fait & les circonstances dicell quell certificat soit de auctiel force come la presentement de xij. sur quel certificat soient les ditz trespassours & malfesours mys a respons & ceux qi sont trovez coupables soient puniz solonc la discretion du Roy & de son dit conseil. Et outre ceo qe les justices de la pees demorantz le pluis profchein en chescun countee ou tiel route assemble ou riote de gentz se ferroit en apres ensemblement oveqe le viscont ou south-viscount de mesme les countees & auxi les justices dalfises pur le temps qils seront en lour sessions en cas qe ascun tiel riote assemble ou route se ferroit en lour presence ferroient execution de cest estatut chescun sur peine de C. li. appaieriez au Roi atantz de soitz qils ferroient trovez en defaute del execution de mesme lestatut. Et pur tant de plusieurs riotous routes & assemblees ont este faitz en diverses parties du roialme puis la confection & proclamation du dit estatut a cause qe mesme lestatut nad mye este mys en due execution come nostre tressoverain seigneur le Roi lad concieu par diverses & hidouses complaintz a
luy*

luy faitz en ceste present parlement mesme nostre seigneur le Roy voillant sur ceo faire pluys greindre remedie del advys & assent avantditz & al priere des ditz communes ad ordeigne & establie qe si defaute soit trovee en les ditz deux justices de la pees ou justices daffises & le viscount ou soutz-viscount del countee ou tiel riote assemble ou route se ferra touchant lexe-
 cution qils doivent faire par ver-
 tue del dit estatut & dont mes-
 mes lestatut fait mention qadon-
 ques al instance de la partie gre-
 vee issera commission le Roy
 desouz son graunt seal denque-
 rer sibien de la veritee del cas &
 de la matier originale pur la
 partie compleignante come de
 le defaute ou defautes des ditz
 justices viscount ou soutz-vis-
 count celle partie supposez a
 adresser as sufficeantz persones
 indifferentz a la nomination &
 advis du chaunceller dEngle-
 terre & qe les ditz commission-
 ners maintenant envoient en la
 chauncellerie les enquestes &
 matiers devant eux celle partie
 prisez & trovez. Et outre ceo
 qe les coroners de mesme le
 countee pur le temps esteantz
 ou tiel riote assemble ou route
 se ferra ferront les panelles sur
 la dite commission retournables
 pur le temps qe le viscount is-
 sint en defaute supposee estoise
 en son office les quelles coroners
 retourneront nulles persones
 mes tielx qe ont terres tene-
 mentz ou rent a le value de
 x. li. par an a meyns. Et auxi
 qe mesmes les coroners retour-
 neront sur chescun des dites
 persones a empanellerz a le pri-
 mer jour qant issuez sont a per-
 drez xx. s. au meyns & a secon-
 de jour xl. s. a meyns & a tier-
 ce jour C. s. a meyns & a che-
 sun

commons, hath ordained and
 stablished, That if default be
 found in the said two justices
 of the peace, or justices of as-
 sises, and the sheriff or under-
 sheriff of the county, where
 such riot, assembly, or rout shall
 be made, touching the execu-
 tion that they ought to make
 by virtue of the said statute,
 and whereof the said statute
 maketh mention, that then at
 the instance of the party grieved,
 the King's commission shall go
 out under his great seal, to in-
 quire as well of the truth of
 the case, and of the original
 matter for the party complain-
 ant, as of the default or defaults
 of the said justices, sheriff, or
 under-sheriff, in this behalf
 supposed, to be directed to suf-
 ficient and indifferent persons,
 at the nomination and by the
 direction of the chancellor of
 the realm of *England*; (9) and
 that the said commissioners
 presently shall return into the
 chancery the inquests and mat-
 ters before them in this behalf
 taken and found; and more-
 over, that the coroners of the
 same county for the time being,
 in which county such riot, as-
 sembly, or rout shall be made,
 shall make the panel upon the
 said commission returnable for
 the time that the sheriff so sup-
 posed in default shall continue
 in his office, (11) which cor-
 oners shall return no persons,
 but only such which have lands,
 tenements, or rents to the value
 of x l. by year at least; (12)
 and also that the same coroners
 shall return upon every of the
 said persons empanelled at the
 first day when issues be to be
 lost, xx s. at the least, and
 at the second day xl. s. at the
 least, and at the third day C. s.,

Commissions shall be
 awarded to inquire of the
 riot, and of the justices
 and sheriffs defaults.
 4 Inst. 184.

Upon the com-
 mission the cor-
 oners shall re-
 turn the inquest,
 and of what
 sufficiency the
 jurors shall be.

What issues
 the coroners
 shall return
 upon the ju-
 rors, and upon
 what penalty.

Where the
sheriff and not
the coroners
shall return
the jury.

A writ direct-
ed out of the
chancery to
inquire of
riots,

at the least, and at every day after the double at the least; which issues so returned by cause of non-appearance of such persons empanelled, shall be adjudged as forfeit to the King, and leviable to his use; (13) and if default be found in the said coroners, touching the return of such persons to be empanelled, or touching the return of such issues, as afore is said, that every of them shall forfeit to the King's use forty pounds; (14) and if it happen that the said sheriff so reputed in default, be discharged of his office at the time that such commission shall be awarded out of the chancery, that then the new sheriff of the same county, his successor mediate or immediate for the time being, and not the coroners of the same county, shall make the panel upon this commission returnable in manner and form, as the said coroners should do in time when the sheriff so reputed in default continued in his office; (15) and that the same new sheriff shall incur like pain of forty pounds to the King, if any default in him be found touching the return of other persons by him impanelled, which have not lands, tenements, or rents to the value of ten pounds by year, or of returning such issues which the said coroners be above charged to return, as the said coroners are to lose to the King in this behalf. (16) And that the chancellor of *England* for the time being, as soon as he may have knowledge of such riot, assembly, or rout, shall cause to be sent the King's writ to the justices of the peace, and to the sheriff or under-sheriff of the county

cun jour apres le double au meyns les queux issues issint retournez par cause de non apparence de tielx empanellez seront ajuggez come forfaitz au Roi & a son oeps levables. Et si defaute soit trove en les ditz coroners touchant le retourne de tielx gentz a empanellerz ou touchant le retourne dautielx issues come avant est dit qe chescun de eux perdra al oeps le Roi xl. li. Et fil aveigne qe le dit viscount ensi rette en defaute soit descharge de son office a temps qe tiel commission issira hors de la chauncellerie qadonques le novell viscount de mesme le counte son successeur immediate ou mediat pur le temps esteant & nient les coroners de meisme le countee ferra le pannel sur celle commission retournable en les maner & fourme come les ditz coroners ferront en temps qant le viscount issint rette en defaute esteit en son office. Et qe mesme le novell viscount encourgera autiele peine de xl. li. envers le Roi si aucun defaute en luy soit trovee touchant le retourne dautres personnes par luy a empanellerz qi nont terres tenementz ou rent a le value de x. l. par an ou de retourne dautielx issues come les ditz coroners sont suischargez de retourner sicome les ditz coroners sont a perdre envers le Roi cest partie. Et qe le chaunceller dEngleterre pur le temps esteant si tost come il purra avoir conusance dautiel route assemble ou riote il face envoyer brief le Roi as justices del a pees & a viscount ou soutez viscount del countee ou ils sont issint faitz qilz mettent lestatut ent fait en execution sur la peine contenue en yeelle. Et comment qe tiel brief ne veigne
mye

mye as ditz justices & viscont ou south-viscont eux ne ferront pas excuſez de la peine avant-dite ſils ne facent mye execution del eſtatut ſuiſdit.

Purveu qe les justices & autres officers ſuiſditz ferront lour offices ſuiſditz as coſtages du Roy en alant demorant & retournant en ſefantz lour dites offices per paiement ent affaire par le viscont de meſme le countee pur le temps eſteant par endentures entre le dit viscont & les ditz justices & autres officers ſuiſditz affaires de le paiement ſniſdit dont le dit viscont ſur ſon accompte en leſchequer purra avoir due allowance. Et qe tielx riotours atteintz de grauntz & haynoſes riotes eient emprisonnement dun an entier a meyns sanz eſtre leſſe hors du priſone par baille mainprys ou en autre maner durant lan ſuiſdit. Et qe les riotours atteintz dez petitz riotes eient emprisonnement come ſemble melx a Roy ou a ſon conſeill. Et qe les fyns dicelles riotours atteintz ſoient par les ditz justices encreſſez & mys a greindres ſommes qils ne ſolbient eſtre mys en tielx caſes devant ces heures en aide & ſupportation de les coſtages des justices et autres officers ſuiſditz celle partie. Et qe les lieges du Roy eſteantz ſufficeantz pur travailler en le countee ou tielx routes aſſemblez ou riotes ſont ſoient aſſistentz as justices comiſſioners viscont & ſoutz-viscont de meſme le countee qant ils ferront reſonablement garniz pur chivacher ove les ditz justices comiſſioners & viscont ou ſoutz-viscont en aide de reſiſtence de tielx riotes routes & aſſemblez ſur peine dempriſonement & faire

county where they be ſo made, that they ſhall put the ſtatute in execution upon the pain contained in the ſame; and though that ſuch writ come not to the ſaid justices, ſheriff, or under-ſheriff, they ſhall not be excuſed of the pain aforeſaid, if they make not execution of the ſaid ſtatute.

II. Provided always, That A riot ſhall be the ſaid justices, and other officers aforeſaid, ſhall execute reſpreſſed and inquired of at their offices aforeſaid at the King's coſts, in going and continuing in doing their ſaid offices, by payment thereof to be the King's charges.

the ſheriff of the ſame county for the time being, by indentures betwixt the ſheriff and the ſaid justices, and other officers aforeſaid, to be made of the payment aforeſaid, whereof the ſaid ſheriff upon his account in the exchequer may have due allowance; (2) and that ſuch rioters attainted of The puniſhment of great and heinous riots, ſhall rioters. have one whole year's imprisonment at the leaſt, without being let out of priſon by bail, mainpriſe, or in any other manner during the year aforeſaid; (3) and that the rioters attainted of petty riots ſhall have imprisonment as beſt ſhall ſeem to the King or to his council; (4) and that the fines of ſuch rioters attainted, ſhall be by the ſaid justices increaſed and put to greater ſums than they were wont to be put in ſuch caſes before this time, in aid and ſupportation of the justices and other officers aforeſaid in this behalf; (5) and that the King's liege people being ſufficient to travel in the county where ſuch routs, aſſemblies, or riots be, ſhall be aſſiſtant to the justices, comiſſioners,

Each able perſon ſhall be aſſiſtant to the justices and ſheriff to reſpreſſ riots.

Bailiffs of franchises.

Riots committed in cities, boroughs, and towns corporate.

19 H. 7. c. 13.

missioners, sheriff, or under-sheriff of the same county; when they shall be reasonably warned, to ride with the said justices, commissioners, and sheriff, or under-sheriff, in aid to resist such riots, routs, and assemblies, upon pain of imprisonment, and to make fine and ransom to the King; (6) and that the bailiffs of franchises shall cause to be impanelled sufficient persons as before, upon pain to lose to the King forty pounds, in case that such sufficient persons may be found within the same franchises; (7) and that like ordinances and pains shall hold place, and take effect in cities, boroughs, and other places and towns infranchised, which have justices of the peace within the cities, boroughs, and other places aforesaid; (8) and that this statute shall begin to hold place presently after the proclamation thereof made.

faire fyn & ranceon a Roy. Et que les bailifs des franchises fassent empaneller suffisceantz gentz come desuis sur peine de perdre au Roy xl. li. en cas que tielx perones suffisceantz purront estre trovez deinz meismes les franchises. Et que semblables ordeignances & peines teignent lieu & force en citees burghs & autres villes & lieux enfranchisez queux ount justices de la pees deins les citees burghs villes & autres lieux susditz et que cest estatut commencera a tenir lieu maintenant apres la proclamation ent fait.

C A P. IX.

A remedy to punish him that doth commit felony, and flee into an unknown place.

ITEM, forasmuch as great and grievous complaints have been made to our sovereign lord the King, by the commons in this present parliament, of divers murders; manslaughters, robberies, batteries, assemblies of people in great number in manner of insurrection, and of divers other rebellions and riots, and after such offences the said felons and offenders flee, and withdraw themselves into divers woods and secret places and unknown, and elsewhere, to the intent and purpose to avoid the execution of the common law, and that they might not be brought to answer; (2) whereupon our sovereign lord the King, considering the aforesaid complaint, by the advice and assent of the lords spiritual and temporal in the same parliament assembled, hath

ITEM pur ceo que grande & grevouise complaint ad este fait a Roy nostre souverain seigneur par les communes en cest present parlement de diverses murders homicides robberies batteries assemblees de gentz en grand nombre par manere d'insurrection & de diverses autres rebellions & riotes & apres tielx malfaitz les ditz felons & messieurs sensuent & rethient as diverses boys & lieux covertes & desconuz & aillours a lentente & purpos de voider l'execution de la commune ley & qils ne ferroient amsmez a respounse selonc proces de la ley sur quoy nostre dit souverain seigneur le Roy considerant la suisdite complainte par assent des seignurs esperituelx & temporelx en mesme le parlement assen-

assemblez ad ordeine & establiz a la requeste des ditz communes qe si ascuny en temps avenir viegne en la chauncellerie & face compleint duement qe ascun tiel felon ou maffesour come avaut est dit sen est fuy ou rethet a ascun tiel lieu ou aillours a lentente suidit soit sur tiel compleint une bille sufficcientment fait pur le Roy & ait le chaunceller d'Engleterre pur le temps esteant apres tiele bille a luy liverree sil poest estre enforme duement tiele bille contenir veritee poair de faire solonc sa discretion un brief de Capias a la suite de Roy direct a viscount de countee ou countees ou les ditz murders homicides robberies batteries & autres meffaitz sont supposez par la dite bille estre faitz & perpetrez retournables en la dite chauncellerie a certain jour. Et si les persones en le dit brief contenuz soient prisez par le dit viscount ou soy rendent en mesme la chauncellerie qadonques soient tielx persones mys en garde ou a mainprise selonc la discretion du chaunceller. Et oultre soit maunde denquerer de tielx maffaitz & sur ceo soit fait come la leie demande. Et si le viscount retourne a jour de Capias retournable qe les persones en ycelles comprisez par ascun de les causes suiditz ne purront estre par luy prisez ne mesmes les persones ne soi rendent en la dite chauncellerie qadonques face le dit chaunceller faire brief de proclamation direct au dit viscount retournable en banc du Roy a certain jour qil face proclamation en deux countees qe les persones en le dit brief nomez veignent a dit jour en le suidit banc

bath ordained and established at the request of the said commons, That if any person hereafter come into the chancery, and make complaint duly, that any such felon or offender, as afore is said, flee or withdraw himself into any such place, or elsewhere, to the intent aforesaid, upon such a complaint a bill shall be sufficiently made for the King; (3) and the chancellor of *England* for the time being, after such a bill to him delivered, if he may be duly informed that such a bill containeth truth, shall have power to make according to his discretion a writ of *Capias* at the King's suit, directed to the sheriff of the county or counties where the said murders, manslaughters, robberies, batteries, and other offences be supposed by the said bill to be done and perpetrated, returnable in the said chancery at a certain day. (4) And if the persons in the said writ contained be taken by the said sheriff, or yield themselves in the same chancery, that then such persons shall be put in ward or to mainprise, according to the discretion of the chancellor. (5) And moreover be it commanded to inquire of such offences, and upon that shall be done as the law requireth. (6) And if the sheriff return at the day of the *Capias* returnable, that the persons in the same comprised for any of these causes aforesaid, cannot be by him taken, neither the same persons do yield themselves in the said chancery, that then the said chancellor shall cause to be made a writ of proclamation directed to the said sheriff, returnable in the King's bench

A remedy to punish him who doth commit any murder or robbery, and then doth flee into a secret place.

The party accused is taken by the sheriff, or by the sheriff, or yieldeth himself.

The sheriff returneth, that the party cannot be taken.

bench at a certain day, that he shall make proclamation in two counties that the persons named in the said writ shall come at the said day in the bench aforesaid, there to answer to the matter comprised within the said bill, upon pain to be convicted of the matter comprised in the said bill; (7) and that in every such writ of proclamation shall be contained the substance of the matter comprised within the said bill: (8) and if they come not at the day of such proclamation returned, then shall they be holden and adjudged for convicted and attainted as aforesaid; and if they come at the proclamation, it shall be of them inquired and done in manner as above is said.

The suggestions of such riots shall be testified under the seals of two justices of peace and the sheriff.

II. Provided always, That the suggestions of such riots be testified to the chancellor of *England* by letters sealed under the seals of two justices of the peace at the least, and the sheriff of the county where such riots shall be made, before that the writ of *Capias* be granted; (2) in which writ of *Capias*, the matter which is comprised within the same bill shall be as well expressed, as in the writ of proclamation thereof to be made. (3) And if such case happen in the county palatine of *Lancaster*, or else in any franchise where there is a chancellor and a seal, that then the chancellor of *England* shall cause to be written or sent by the King's writ to the chancellor of such county or franchise, all the suggestion in the said bill comprised, commanding him to make such execution as in the said article is comprised; (4) so always that

Riots committed in a county where there is a chancellor and a seal.

banc pur y respondre a la matier compris en la dite bille sur peine destre convictz de la matier compris deins la dite bille & en chescun tiel brief de proclamation soit contenu la substance de la matier compris deinz la dite bille & fils ne veignent a jour de tiele proclamation retournee soient adonques tenuz & adjudgez pur convictz & atteintz come defuis est dit & fils veignent a la proclamation soit de eux enquis & fait en manere come defuis est dit.

Purveu qe les suggestions de tielx riotes soient tesmoigne a le chaunceller d'Engleterre par lettres ensealez desoutz les seals de deux justices du pees a meins & le viscount del countee ou tielx riotes ferront devant ceo qe tielx brief de *Capias* soit gtaunte en quel brief de *Capias* soit sibien la matiere expresse quel est compris deins mesme la bille come en le brief de proclamation ent affaire. Et si tiel cas aveigne en le countee palatyn de *Lancastre* ou aillours en franchise la ou il y ad chaunceller & seal qadonques le dit chaunceller d'Engleterre face escrire ou envoyer par brief du Roy a le chaunceller de tiel countee ou franchise toute la suggestion en la dite bille compris commandant a luy de faire tiel execution come en le dit article est compris issint toutz soitz qe brief du Roy hors de la chauncellerie d'Engleterre ne courge en tiel countee ou franchise autrement qe nad este usee en temps passe & qe ceste ordinance estoise en sa force tanqe al syn du profchein parlement.

the King's writ shall not run out

out of the chancery of *England* in such a county or franchise, otherwise than hath been used in time past; (5) and that this Made perpe- ordinance shall stand in his full force until the end of the next parliament. tual by 3 H. 6. c. 14.

Other statutes made at *Westminster*, Anno 2 HEN.
V. stat. 2. and Anno Dom. 1414.

NOSTRE seigneur le Roy a son parlement tenuz a *Westm'* le Lundy apres les oeptaves de seint Martyn lan de son regne seconde del advis & assent des seignurs espretuelx & temporelx & a les especialx requeste & instance des communes de son roialme adonques illoques assemblez ad ordeine fait & estable diverses ordinaunces & estatutz en la fourme qesloit.

OUR lord the King, at his parliament holden at *Westminster* the Monday next after the Utas of St. Martin, the second year of his reign, by the advice and assent of the lords spiritual and temporal, and at the special instance and request of the commons of his realm then there assembled, bath ordained and established divers ordinances and statutes in the manner and form as followeth.

CAP. I.

What sort of men shall be justices of the peace.

PRimerement qe les justices de la pees desore enavaunt affaires deinz les countees d'Engleterre soient faitz de les pluis sufficientz persones demurantz en mesmes les countees par avis du chancellor & conseil le Roy sanz prendre autres persones demurantz en foreins countees a tiel office occuper forspria les seignurs & les justices daffises ore nomez & anomerz par le Roy & son conseil & forspria auxi les chiefs seneschalx du Roy des terres & seignuries del duchee de Lancastre en le north & le south pur le temps esteantz.

FIRST, That the justices of the peace from henceforth to be made within the counties of *England*, shall be made of the most sufficient persons dwelling in the same counties, by the advice of the chancellor and of the King's council, without taking other persons dwelling in foreign counties to execute such office, except the lords and the justices of assise now named, and to be named by the King and his council; and except all the King's chief stewards of the lands and seignories of the dutchy of *Lancaster*, in the north parts, and in the south, for the time being.

4 Inst. 51.
1 Ed. 3. stat. 2.
c. 16.
34 Ed. 3. c. 1.
What sort of persons shall be justices of peace.

23 R. 2. stat. 5.
c. 7.

CAP. II.

The yearly wages of chaplains and parish priests settled.

ITEM, whereas it is contained in the statute, made the xxxvi. year of King *Edward* the Third after the conquest, That no Parish priests. Ex edit. Rast.
parish priest nor yearly priest should take but v. marks, or vi. at
Vol. III. D the

the most for their wages by year. And where the parish priests which now be, will not serve but for x. li. xii. marks or x. marks by year at the least, against the form of the said statute, to the great damage of the King's liege people, as he hath perceived by the complaint of the commons of his land: the King willing for the same to provide remedy in case of the said commons, hath ordained and established, That no yearly chaplain within the realm shall take from henceforth more for his whole wages by year, that is to say, for his board, apparel, and other necessities, but vii. marks, nor the parish priests, which be or shall be retained to serve cures, shall take from henceforth for their whole wages by year, that is to say, for the things aforesaid but viii. marks, unless it be by licence of the ordinary, so that the whole sum pass not nine marks.

36 Ed. 3. c. 8.
Rep. 21 Jac. 1.
c. 28.

CAP. III.

Of what estate those jurors must be, which are to pass touching the life of man, plea, real, or forty marks damages.

Explained by
8 H. 6. c. 29.

ITEM, The King considering the great mischiefs and dishonours which daily happen through all the realm of *England*, as well in case of death of a man, as in case of freehold, and in other cases, by them which pass in inquests in the said cases, which be common jurors, and other that have but little to live upon but by such inquest, and which have nothing to lose because of their false oaths, whereby they offend their consciences the more largely; (2) and willing thereof to have correction and amendment, hath ordained and established, by assent of the lords and commons aforesaid, That no person shall be admitted to pass in any inquest upon trial of the death of a man, nor in any inquest betwixt party and party in plea real, nor in plea personal, whereof the debt or the damage declared amount to forty marks, if the same person have not lands or tenements of the yearly value of forty shillings above all charges of the same; (3) so that it be challenged by the party, that any such

Of what estate jurors must be who are to pass in an inquest touching the life of man, plea real, or forty marks damages.

ITEM le Roy considerant les grandes meschiefs & deshonrances qe de jour en autre aveignent parmy tout le roialme sibien en cas de mort de homme come en cas de franc tenement & es autres cases par ceux qi passent es enquestes en les ditz cases qi sont communes jurours & autres qi nont qe poie de vivre mes par tieux enquestes & les queux nont riens a perdre par cause de leur faulx serementz paront ils le pluis legierment offendent leur conscience et voillant ent avoir correction & amendement ad ordeigne & establie par assent des seignurs & communes suisditz qe null persone soit admys de passer en ascune enqueste sur trial de mort de homme ou en ascune enquest parentre partie & partie en plee real nen plee personell dont le dette ou les damages declarez amontent a quarant marcز si mesme la persone neit terres ou tenementz de annuell value de quarant souldz outre les reprises dicelles issint qil soit chalengee par la partie qe ascun empanelle en mesmes les cases nad my terres ou

du tenementz a le value annuell de quarant souldz outre les charges come avaut est dit.

such person so impanelled in the same cases hath not lands or tenements of the yearly value of forty shillings above the charges, as afore is said.

Rast. 117.
28 Ed. 3. c. 13.
9 H. 5. f. 5.
10 H. 6. f. 7, 8,
18.
2 H. 7. f. 13.
10 H. 7. f. 14.

CAP. IV.

There shall be no gilding of silver ware, but of the allay of English sterling.

ITEM pur ceo qe les orfeours d'Engleterre de leur commune covyn & ordinances ne voillent my vendre les choses de leur mistier endorrez sinon a double pris de le pois d'argent dicelles le quell semble a Roy trop outrageous & trop excessive pris le Roy pur laise de son poeple voillant ceo remedier ad ordeine & establie qe toutz les orfeours d'Engleterre suisorrent null argent pier qe del allaie d'esterling Englois & qils preignent pur la libre de Troy orre xlvi. s. viii. d. a pluie & de greindre pois & de meindre selonc la quantite & lasserante de mesme la somme et qe ceo qe serra par eux suisorre defore enavaunt soit de resonable pois & non pas excessive et si nul orfeour face le contraire forferra a Roy la value de la chose vendue.

ITEM, for that the goldsmiths of England, of their covin and ordinances, will not sell the wares of their mystery gilt, but at the double price of the weight of the silver of the same, which seemeth to the King very outrageous and too excessive a price; (2) the King for the ease of his people, willing to remedy the same, hath ordained and established, That all the goldsmiths of England shall gild no silver worse than of the allay of the English sterling, and that they take for a pound of Troy gilt but forty-six shillings eight pence at the most, (3) and of greater weight, and less, according to the quantity and rate of the same sum; and that which shall be by them gilt from henceforth shall be of reasonable price, and not excessive, (4) and if any goldsmith do contrary to this statute, he shall forfeit to the King the value of the thing so sold.

There shall be no gilding of silver wares but of the allay of English sterling.

Rep. in part.
21 Jac. 1. c. 28.

The pound Troy of silver gilt shall be sold for 46 s. 8 d.

5 H. 4. c. 13.

CAP. V.

If a Welshman, on process awarded against him for detaining an Englishman, refuse to appear, he shall be outlawed, and writs shall be issued to apprehend him.

ITEM, forasmuch as since the rebellion of the Welshmen now late reformed, many of the rebels of Wales, with other their adherents, with force and arms in the manner of war, sometimes by day, and sometimes by night, have come into the counties of Salop, Hereford, and Gloucester, and in other places bordering upon the same countries, and in divers woods and other places there hid and lodged, have traiterously and feloniously taken many of the King's faithful liege people, some in riding about their merchandises and doing their own business.

Ex edit. Rast.
Wales.

Justices of
peace.

sinest, and some in their houses where they were abiding, during their works in their husbandry in God's peace and the King's, and those the King's liege people so taken, have brought out of their country to, divers parts of Wales, and them have kept and witholden with them, in the mountains of those parts of Wales by half a year, sometimes more, and sometimes less, till they have ransomed some of the said liege people to an C li. and some more after their rate, in like manner as is used in time of war, to the great damage and mischief of the people of the said counties and countries, and to an evil example, if it be not the rather remedied, as the King by the grievous complaints of the commons hath perceived: Our sovereign lord the King, willing against all such offenders to ordain a due punishment, hath ordained and established, That the justices of peace within the counties of England assigned for the time, shall have power to enquire, hear, and determine all manner of such treasons and felonies, as well at the King's suit as at the party's: so that in case that such offenders will not appear before the said justices, to answer as the law requireth in this behalf, till they be according to the custom of the realm outlawed; then the same justices shall certify by their letters under their seals, the officers of the seignories, in which such outlaws be withdrawn, abiding, or resistant, of the outlawry upon them so pronounced. And that the same officers upon that certification, take the bodies of those outlaws, and do execution upon them in the same seignory, as the law demandeth, without fine or ransom in this behalf to be

Altered by
27 H. 8. c. 26. made.

C A P. VI.

Merchandises of the Staple shall not be exported beyond sea, without the King's licence, until they be first brought to the Staple.

Staple.

ITEM, whereas in the parliament holden the first year of King Henry the Fourth, father to the King that now is, by the advice of the lords and commons in the same assembled, it was ordained and assented, That the staple of wools, leather, woolfels, lead, and tin, should be wholly at Calais, saving always, that all the merchants of Genoa, Venice, Catalonia, Arragon, and of other realms, lands, and countries towards the West, being of the King's omity, that would bring to Hampton or elsewhere within the realm, caraks, ships, galleys, or other vessels, charged or discharged, might freely sell their merchandises to whom pleased them, and there to recharge all their said vessels of wools, leather, woolfels, lead, and tin, and of other merchandises of the staple, and freely bring them into their country towards the West, after the form of the statute thereof made the second year of King Richard the Second after the conquest. And saved also to the burghesses and merchants of the town of Berwick upon Tweed, and to the residents and inhabitants in the same, that they may buy wools, leather, and woolfels, as well of the growing of Tindale and other places within the realm of Scotland, and other of the growing of England, that is to say, of all that place betwixt the waters of Tweed and Coket, as of the growing of other parts within the realm.

realm of Scotland: and the same wools, fells, and leather, to bring to the port of the said town of Berwick, and to carry them to foreign parts, or set them to sale in the said town of Berwick, according to the form and effect of an ordinance thereof made the first year of the said King Richard. And now so it is, that certain merchants, as well of the isles of Jersey and Guernsey, as merchants of the parts of Brittany, and Guion, do buy in divers places of Cornwall whole tin not molten, and the same carry and send to be sold in divers parts of France, Normandy, Brittany, Guion, and elsewhere than to the said staple, and also divers other merchants, as well denizens as strangers, do buy and send molten tin, called shotten tin, out of the realm to the parts of Flanders, Holland, Zealand, and to other parts beyond the sea, than to the said staple, against the form of the said ordinance so late made, to the great fraud, loss, and damage to the King, as of his customs, and to the hindrance of all the repairers to the same staple, as the King is thereof certified by the motion of his commons now present: The King considering the same ordinance to be necessary and profitable for him and the said staple, will, granteth, and commandeth, That the same shall stand in his force, and moreover the King, by the assent of his lords spiritual and temporal, and of his commons here assembled in this parliament, will and ordaineth, That no wools, fells, leather, lead, nor tin, whole or molten, called shotten tin, nor none other merchandise of the staple, from henceforth shall be sent nor carried to any parts beyond the sea, unless they be first brought to the said staple after the form of the said ordinance made the first year of King Henry, upon pain of forfeiture of all the merchandises in such manner sent or carried out of the realm, unless it be by the King's licence, and except those persons, places, and things, which be excepted in the said ordinance made in the said first year of the said King Henry for the time that the persons of the places so excepted be of the King's amity, and that in the form contained in the said ordinance. And moreover that every man (except those before excepted) which shall send or carry any such merchandises of the staple out of the realm of England in time to come, shall find good and sufficient surety to the King, before his customers, of the place where the same merchandises shall be taken and customed within the same realm, before that he depart with the same merchandises, that he shall first bring or send them to the said staple in the form aforesaid, unless he have the King's licence as afore is said.

2 R. a. Stat. 1.

c. 3.

2 H. 6. c. 4.

14 Ed. 4. c. 5

A statute made at Westminster, Anno 3 HEN. V.
and Anno Dom. 1415.

FAIT assavoir qe a le parle-
ment tenuz a Westm' le
Lundy

AT the parliament holden at
Westminster the Monday
next
D 3

next after the feast of All Saints, the third year of the reign of King Henry the Fifth, a statute was made by the King our lord, with the assent of all the lords spiritual and temporal, and at the request of the commons of England there assembled for the common profit and weal of the realm.

Lundy profchein apres le fest de toutz saintz lan du regne le Roy Henry quint apres le conquest tierce fuit fait un estatut par le Roy del assent de toutz les seignurs espirituelx & temporelx a lespecialle requeste des communes dEngleterre assemblez illoeqes pur le commune bien & profit de tout le roialme.

CAP. I.

It shall be felony to import or offer in payment any sort of money forbidden by former statutes.

Ex edit. Rast.
Gally half-
pence.

Suskin and
Dotkin
Money.

Justices of
peace.

Mayors.
Bailiffs.
Stewards.

THAT is to say, That Gally halfpence, and the money called Suskin and Dotkin, and all manner of *Scottish* money of silver, shall be put out, and not be current hereafter for any payment in the realm of *England*. Joined to the same, that proclamation be made through all the counties of *England* within franchises and without, and elsewhere, that all that have Gally halfpence, suskins or dotkins, shall bring them to the King's exchanges betwixt this and the feast of *Easter* next ensuing, there to be broken, and that that is found good silver, there to be stricken and coined in *English* halfpence. And all they which after the said feast of *Easter* do make coin, buy, or bring into the realm of *England* any Gally halfpence, suskins, or dotkins, to sell them; or to put them in payment in the same realm, and thereof be attainted, they shall be judged as felons of our sovereign lord the King, and shall forfeit all their lands and tenements goods and chattels. And that the lords, of whom such lands and tenements be holden, shall have and enjoy the forfeitures as in other cases of felony. And if any of the King's liege people or other person put Gally halfpence, suskins, or dotkins, in payment, or them receive in payment, within the realm of *England*, and thereof be duly attainted, they shall forfeit at every time that they make such payments or receipt, C s. whereof our sovereign lord the King shall have the one half, and he that will sue for the King thereof to attaint them, shall have the other half, and that as well the justices of peace within all the counties of *England*, as mayors and bailiffs within the cities and boroughs, and stewards of lords in their view of frankpledge, shall have power to enquire by good enquests to be taken before them of all the matters aforesaid. And that the said mayors and bailiffs, after the said enquests before them taken, shall send the same inquisitions before the justices of peace of the counties, in which the said cities and boroughs be. And that the said justices of the peace of the counties have power, as well of the said inquisitions so taken before such mayors and bailiffs, and sent before the said justices (as afore is said) as upon other inquisitions before the same justices of peace

peace in their sessions to be taken touching the said matters, to make proces, and to award the *Capias* and *Exigend*, and to hear and determine all the said matters according to their discretion, as in other cases of felonies and trespasses hath been used before a H. 6. c. 9. this time.

Statutes made at *Westminster*, Anno 3 HEN. V.

stat. 2. Anno Dom. 1415.

NOSTRE seigneur le Roy a son parlement tenuz a Westm' le Lundy le seizisme jour de Marcz lan de son regne tierce del advis & assent des seignurs espirituelx & temporelx & a la requeste des communes assemblez en mesme le parlement ad ordeignez & establiz diverses ordinances & estatutz en la fourme qensuit.

OUR lord the King, at his parliament holden at Westminster the Monday the sixth* day Sixteenth. of March, the third year of his reign, by the advice and assent of the lords spiritual and temporal, and at the request of the commons, assembled in the same parliament, hath ordained and established divers statutes and ordinances in the form following.

CAP. I.

A confirmation of the liberties of the church, and of all persons, cities, &c.

PRimerement qe seinte eglise eit toutz les libertees & franchises & qe toutz les seignurs espirituelx & temporelx & les autres lieges du Roy eiantz libertees & franchises & toutz les citees & burghs du roialme eient & enjoient toutz lour libertees & franchises queux ils ount des grantes de les progenitours nostre seigneur le Roy & de la confermement mesme nostre seigneur le Roy ou son grante demesne forspris ceux franchises & libertees queux sont repellez en cest present parlement & ceux qe sont repelleablez par la commune leie.

FIRST, That holy church have all her liberties and franchises, and that the lords spiritual and temporal, and other the King's liege people, having liberties and franchises, and all the cities and boroughs of the realm, have and enjoy all their liberties and franchises, which they have had of the grants of the King's progenitors, and of the confirmation of the same our lord the King, or his grant; (2) except always those franchises and liberties which be repealed in this present parliament, and those that be repealeable by the common law.

The liberties of the church and of all cities, boroughs, and persons confirmed.

CAP. II.

Privilege given to certain abbots, &c. to make their attorneyes in the courts of Stancliffe and Frendles,

Ex edit. Rast.

ITEM, forasmuch as there be divers abbots, priors, and other religious persons, whereof some be of the King's foundation, and some of the foundation of other lords of the realm of England, dwelling as well within the county of Lancaster, as in the county of York, whereof some have possessions within the wapentakes of Stancliffe wapentake, and Frendles wapentake, in Craven in the county of York, and some not, against whom divers persons daily by abettment and procurement of the bailiffs, approvers of the courts of the said wapentakes, and the stewards that hold pleas in the said courts, and of fermours of the profits and revenues of the said courts, feign and procure by them and other of their covin and assent, divers complaints, pleas of debt, and trespass, and other pleas against them in the courts of the said wapentakes, and there whereas the same abbots and priors come to the said courts, for the defence of such wrongful complaints and pleas, and pray and profer to the stewards and bailiffs of the said courts to make their attorneyes in such pleas: the said stewards and bailiffs the same refuse, and will not receive such attorneyes of such abbots and priors in any plea of debt or trespass, nor in any other plea, and that moreover the same stewards and bailiffs of their own authority do amerce the said abbots and priors for every complaint, at the first time xii d. and at every other time for every of the said complaints x s. and xx s. and more at their own will, to the great damage and grievance of the said abbots and priors, and against reason and the common law of the land: the King hath ordained remedy of the said grievances, that all such abbots and priors, and their successors and every of them, so vexed and to be vexed in the said courts, may make their general attorneyes or attorney, that is to say, every of them under the common seal of his house, to gain and lose in every manner of plea of debt and trespass, and in any other plea moved or to be moved in the said courts and in all other courts within the said wapentakes. And that the stewards and bailiffs in the said courts receive the said attorneyes so made and named without any contradiction. And if the same stewards or bailiffs refuse to receive any such attorneyes or attorney, so made and named to be made or to be named, that then the stewards and bailiffs at every time of such refusal of such attorneyes, shall forfeit and incur the pain of ten pounds to our sovereign lord the King. And that the said abbots and priors, or their successors in the said courts, nor none of them, be in any wise amerced for any nonsuit or default otherwise than secular persons. And that this ordinance stand in his force for all the year next following, and till the parliament in the same year next following.

5 H. 5. c. 9.

9 H. 6. c. 10.

CAP.

C A P. III.

All Britons not made denizens shall depart the realm upon pain of death.

ITEM, whereas divers Britons be now late come withyn the Britons. realm, some of them abiding about the queen's person in her house, and some nigh the said house, and elsewhere within the said realm, for to hear, know, and perceive the secretness of the realm, and the same to discover to Britons, which be the greatest enemies of the King and of his realm, and for to carry away the money and jewels out of the said realm, in great prejudice and damage to the King and to all his realm, as our sovereign lord the King by the grievous complaint of his commons is instructed: the same our sovereign lord the King will and hath ordained, That all such Britons dwelling in the queen's house, and other abiding nigh to the same house and elsewhere, not made denizens, shall be voided out of the realm: and that proclamation be made, that the said Britons do void out of the realm betwixt this and the feast of St. John the Baptist next coming, and that upon pain of life and of member.

C A P. IV.

All provisions, licences, and pardons of a benefice full of an incumbent shall be void.

ITEM combien en temps le Roy Henry quart pier a Roy nostre tressoverain seigneur qi Dieu assoille lan de son regne septisme pur eschuer plusieurs discordes & debates & diverses autres meschieves verisemblables a soulder & avenir a cause des plusours provisions adonques faitz & affairz par lappostoill & auxi des licences sur ceo grauntez par le dit nadgairs Roi entre autres choses ordeignez estoit & establiz qe null tiele licence ou pardon ensy grantee pardevant mesme lordinance ne a grantier en apres serroit vailable a aucune benefice plein dascun incumbent a jour del date en tiele licence ou pardon granté. Nientemeins diverses personnes eiantz provisions de lappostoill de diverses benefices en Engleterre & aillours & licences roialx pur executer les ditz pro-

ITEM, whereas in the time of H. 4. c. 2. King Henry the Fourth, father to our sovereign lord, whom God forgive, the seventh year of his reign, to eschew many discordes and debates, and divers other mischiefs which were likely to rise and happen, because of many provisions then made, or to be made, by the pope, and also of licences thereupon granted by the said late King, amongst other things it was ordained and established, That no licence or pardon so granted before the same ordinance, nor after to be granted, should be available to any benefice full of an incumbent at the day of the date of such licence or pardon granted: (2) notwithstanding several persons having provisions of the pope of divers benefices in England, and elsewhere and licences royal to execute the said provisions, have by colour of the same provisions, licences and acceptations of the said benefices, subtilly

subtly excluded divers persons of their benefices, in which they have been incumbents by a long season, of the collations of the patrons spiritual, to them duly made to their intent, to the utter destruction and subversion of the estates of the said incumbents : (3) the King willing to remove such mischief, hath ordained and established, That all the incumbents of every benefice of holy church, of the patronage, collation, or presentation of spiritual patrons, may peaceably and quietly enjoy, and shall enjoy their said benefices, without being inquieted, molested, or any wise grieved by any colour of such provisions, licences, and acceptations whatsoever: (4) and that all the licences and pardons upon and by such provisions made in any manner, shall be void and of no value. (5) And if any feel himself grieved, molested, or inquieted in any wise from henceforth by any colour of such provisions, licences, pardons, or acceptations, that the same molesters, grievors, and inquieters, and every of them, shall suffer and incur the pain and punishments contained in the statutes of provisors before this time made, and that by process of *Præmunire facias* formed upon the case; (6) and that the party which shall sue by the same writ, shall recover his treble damages, if the defendants named in the same writ, or any of them, be convicted in that behalf.

dantz en mesme le brief nomez *convictz* ou *convict* ceste partie.

provisions ont par colour dicelles provisions & licences & acceptations des ditz benefices subtillement oustrez diverses personnes de leur benefices es queux ils ont estez incumbenz par long temps dell collation des verraies patrons espirituelx a eux faitz duement a leur entent a finall destruction & enervation destates dicelx incumbenz le Roi voillant oustier tiele meschief si ad ordeigne & establee qe toutz les incumbenz de qeconques benefices de seinte esglise del patronage collation ou presentation des patrons espirituelx puissent paisiblement & quietement enjoier & enjoier leur ditz benefices sanz estre inquietez molestez ou grevez aucunement par aucun par colour de tieux provisions ou licences & acceptations queconques. Et qe toutz les licences & pardons sur & pur tieux provisions faitz en aucun manere soient voidéz & de null value. Et si aucun se sente grevee moleste ou inquiete aucunement desorenavant par aucuns ou aucun par colour de tieux provisions licences pardons ou acceptations qe mesmeses grevours molestours ou inquietours & chescun de ceux sient & encourgent ait & encourage les peines & punissementz en les estatutz & ordeignances des provisors avant ces heures faitz contenz & ceo par proces de *Præmunire facias* fourmee sur le cas & qe la partie qe pursuera mesme le brief recouvrera ses damages a treble si les defendours ou aucun dicell soient ou soit

All provisions made by the pope, and licences or pardons granted by the King, touching any benefices full of an incumbent shall be void.

15 Ed. 3. stat. 6.

CAP. V.

In which courts an attaint may be brought upon a false verdict given in the city of Lincoln, and by whom it shall be tried.

ITEM combien par estatut fait en le parlement tenuz a Westm' lan du reigne le Roi RICHARD seconde puis le conquest trefzisme ordeigne fuit & establie qen assises jurees & toutz autres enquestes queux delors serroient prizez parentre partie et partie devant les mair & ballives de la citee de Nichole qi pur le temps serroient si ascune des parties delors soi pleindroit de faux serement fait par tielx assises jurees ou enquestes latteint luy serroit grantee & le record serroit mandee par brief en banc le Roy ou en commune banc et qe le viscont arraieroit le panell del juree de tiele atteinte des foreins sanz mander al franchise du dite citee e qe les justices prendroient mesme la juree de mesmes les foreins nient contreesteant ascune franchise grantee au dite citee ou autre usage a contrarie. Jalemeins pur tant qe sir HENRY nadgairs Roi d'Engleterre pier a nostre trefsoverain seignuravaunt dit lexxi. jour de Novembr' lan de son regne unfzisme par ses lettres patentz entre autres graunta as mair & communalte de la dite citee qe le noun des baillives de mesme la citee serroit translate en le noun des viscontz et qe mesme la citee les suburbs & le purceint dicell forspris le chastell & le bayle de Lincoln & les mures & fosses dicell alors pur toutz jours serroit appelle le countee del citee de Lincoln pluseurs gentz sont & ont estez en ambiguite le quell homme qi pleindre se vorra de faux

ITEM, *whereas by the statute made in the parliament holden at Westminster the thirteenth year of King Richard the Second, it was ordained and establisbed, That in assises, juries, and all other inquests, which thenceforth should be taken betwixt party and party, before the mayor and bailiffs of the city of Lincoln, which for the time should be, if any of the parties then did complain him of false oath made by such assises, juries, or inquests, that the attaint should be granted to him, and the record should be sent by writ into the king's bench, or into the common bench; (2) and that the sheriff should array the panel of the jury of such attaint, of foreigners, without sending to the franchise of the said city; and the justices should take the same jury of the same foreigners, notwithstanding any franchise granted to the said city, or any other usage to the contrary. (3) Nevertheless, forasmuch as the lord Henry, late King of England, father to our sovereign lord the King aforesaid, the twenty-first day of November, the thirteenth year of his reign, by his letters patents, amongst others, granted to the mayor and commonalty of the said city, that the name of bailiffs of the same city should be translated into the name of sheriffs; and that the same city, suburbs, and precinct of the same (except the castle of Lincoln, and the walls and ditches of the same) should for ever be called the county of the city of Lincoln: divers people be and have been in doubt, whether a man that will complain of a false oath made in the*

13 R. 1. stat. 1.
C. 18.

The name of bailiffs of Lincoln translated into the name of sheriffs.

Upon a false verdict given before the mayor, &c. of the county of the city of Lincoln, an attain may be brought triable by foreigners.

the county of the said city after, by force of the said statute, should have a writ of attain directed to the sheriff of the county of Lincoln, to be arrayed by the people of the same county, or not, and also of other articles and points of the said statute; (4) the King willing to remove all manner of ambiguities and doubts in this behalf, hath ordained, granted, and established, That in assises, juries, and all other inquests which be and shall be taken betwixt party and party, before the mayor and bailiffs, and before the sheriff of the county of the city of Lincoln, which for the time is, and shall be, or any of them, if any of the said parties do complain of a false oath made by such assises, juries, and inquests, a writ of attain shall be granted to him, directed to the sheriff of the said county of Lincoln for the time being, and the same record shall be sent by a writ into the King's bench, or into the common bench; (5) and that the sheriff of the county of Lincoln, which for the time shall be, shall array the panel of the jury of such attain of people of the county of Lincoln; and that the justices of the King and of his heirs shall take the same jury of people of the county of Lincoln, according to the intent and effect of the said statute, notwithstanding the said letters patents, or any thing therein contained, or any possession or other thing by the force of the same letters had or made, or any franchise granted, or to be granted to the citizens of the said city, or to their successors, or other usage to the contrary, or that the said city of Lincoln is so made incorporate.

faux serement fait en le countee du dite citee puisse par force del estatuit suisdit avoir brief de atteinte adresser a viscont del countee de Nichole destre arrais par gentz de mesme le countee ou nemy & auxint dautres articles & points de mesme lestatut le Roy voillant ouster toutz maners ambiguitees & awerescies ceste partie si ad ordeigne grante & establee gen assises jurees & autres enquestes geconques qi sont & seront priez parentre partie et partie devaunt les mair & baillives ou viscont del countee de la dite citee de Nichole qi pur le temps furent & seront ou aucuns de eux si ascun des parties soi pleint de faux serement fait par tieux assises jurees ou enquestes brief datteint luy soit grante adresser al viscont del dit countee de Nichole pur le temps esteant & le record soit mandee par brief en banc le Roy ou en commune banc et qe le viscont del countee de Nichole qi pur le temps serra arrais le panell del juree de tiel atteinte des gentz del countee du Nichole et qe les justices du Roy & de ses heirs preignent mesme la jures del countee de Nichole solonc lentent & leffect del dit estatuit les ditz lettres patentz ou riens leins contenuz ou aucune possession ou autre chose par force de mesmes les lettres euz ou faitz ou aucune franchise grantee ou a grantier as citezeins du dite citee ou a lour successeurs ou autre usage a contraire ou ceo qe la dite citee de Nichole est ensy fait incorporate countee par luy mesmes & severes del countee de Nicole non obstantz.

CAP. VI.

It shall be treason to clip, wash, or file money.

ITEM pur ceo qe devaunt ces heures grande doute & awereuste ad este le quell la tonsure loture & fylling de la moneie de la terre duissent estre adjudgez treson ou nient a cause qe null mention ent este fait en la declaration des articles de traïson faitz en le parlement tenu lan vingt & quint del noble Roi EDWARD besaïel a nostre dit treffoverain seignur le Roi mesme nostre seignur le Roi voillant oustre tiele doute & le mettre en certain ad declarrec, en cest present parlement qe tieux tonsure loture & filer soient adjudgez pur traïson & qe ceux qz tondent lavent & filent la moneie de la terre soient adjudgez traitours a Roi & a le roialme & encourgent la peine du traïson.

ITEM, because that before this time great doubt and ambiguity hath been, whether that clipping, washing, and filing of the money of the land, ought to be judged treason, or not, forasmuch as no mention thereof is made in the declaration of the articles of treason made in the parliament holden the twenty-fifth year of King Edward the Third; (2) the same our lord the King, willing to decide such doubt, and to put the same in a certainty, hath declared in this present parliament, that such clipping, washing, and filing, shall be adjudged for treason, and they which so do clip, wash, and file the money of the land, shall be judged traitors to the King and to the realm, and shall incur the pain of treason.

Clipping, washing and filing of the money of this realm shall be high treason.

Repealed by 1 Ed. 6. c. 12. & Mar. sess. 1. c. 1. and revived by 5 El. c. 11.

CAP. VII.

What justices shall have authority to bear and determine the offences of falsifying of money.

ITEM pur ceo qe contrefaïture tonsure & loture & aïture fauxine de la moneie de la terre est le plus usee & plus habunde de jour en autre qe ne soleit a cause qe le punissement dicelles n'appertient a aucun juge du roialme sinou a justices du Roi devaunt luy mesmes ou devaunt justices par especialz commissions a ceo assignes a verraisemblable destruction de la dite monaie sinou qe plus hastive execution & remedie soit ordeigne come le Roi a le grevous complaint des ditz communes ad conceu mesme nostre seignur le Roi voillant ceo remedier si ad ordeigne & establie qe les justices

ITEM, because counterfeiting, clipping, washing, and other falsity of money of the land, is much more used, and daily doth more abound than it was wont, for that the punishment of the same pertaineth not to any judges of the realm, but to the King's justices before himself, or by special commissions thereto assigned, and it is very likely there will be destruction of the money, unless hasty execution and remedy be provided, as the King by the grievous complaint of the commons hath perceived; (2) What justices our said lord the King, willing to remedy the same, hath ordained and established, That the King's justices assigned to take assises in all the counties of England ney.

What justices shall have authority to hear and determine the offences of falsifying of money.

3 El. c. 11.

England shall have power by the King's commissions to hear and determine, in their sessions, as well of the counterfeiting, and of the bringing of such false money into the realm, as of clipping, washing, and every other falsity of the said money; (3) and that the justices of peace through the realm shall have power by the King's commissions to inquire of all such matters, and thereupon to make process by *Capias* only against those which before them shall be thereof indicted,

ces du Roi as assises prendre assignez & assignerz en toutz les countees d'Engleterre eient poair par commission le Roi doier & terminer en lour sessions sibien de contrefaiture & de laporte de tieux fauxe moneie en Engleterre come de tonsure loture & chescune autre fauxine du dite moneie. Et que les justices de la pees parmy le roialme eient poair par commission le Roy denquerer de toutz tieux maters & sur cea faire process par *Capias* tantoulement vers ceux qi devaunt eux serront ent enditez.

CAP. VIII.

Ordinaries shall take no more for proving of testaments, with their inventories, than was taken in the time of King EDWARD the Third.

Ex edit. Rast.
Probate of
testaments,

ITEM, whereas the commons of the realm have often times in divers parliaments complained of that, that divers ordinaries do take for the probate of a testament, and other things pertaining to the offices in this behalf, sometime forty shillings, or fifty shillings, and sometime more, against right and law, and otherwise than was wont to be paid for them, in the time of King *Edward* the Third, that is to say, two shillings six pence, or five shillings at the most, whereby the testament of the testator may not be executed, according to the last will of the same testator, to the great damage and hinderance of the common wealth: the King willing, for the wealth and ease of his people to avoid such oppression, and to provide remedy in the case, hath ordained, That none ordinary shall take from henceforth, for the probate of any testament with the inventory, and for the other things appertaining to the same, no more than was accustomed and used in this part in the time of the said King *Edward* the Third, upon pain to yield to him that seeieth him grieved the treble so received, if he will sue by the course of the law, so that all manner of executors shall yield their accumps to the ordinaries, wholly of the testator's goods. And that this ordinance stand in his force till the end of the year next coming, and moreover till the parliament the same year next ensuing.

31 Ed. 3. stat. 1.
c. 4.
21 H. 8. c. 5.

Statutes made at *Westminster*, Anno 4 HEN. V. and
Anno Dom. 1416.

AT the parliament holden at
Westminster the nineteenth
day

AU parlement tenuz a
Westm' le xix. jour d'Oc-
tobre

tobr' landu regne le Roy HENRY quint puis le conquete quarte mesme nostre seigneur le Roy del assent des prelatz ducs counts & barons & a les especialx instance & requeste des communes assemblez en cest present parlement ad fait ordeine & establie certains estatutz & ordeinances en la fourme quen-suit.

day of October, the fourth year of the reign of King Henry the Fifth after the conquest; the same our lord the King, with the assent of the prelates, dukes, earls, barons, and at the special instance and request of the commons assembled in the same parliament, hath caused to be ordained and established certain statutes and ordinances, in the form as followeth.

CAP. I.

A confirmation of all former statutes not repealed.

Primement que la Grande Chartre & la Chartre de la Foreste et toutz autres estatutz & ordeinances faitz en son temps & es temps de les nobles progenitours Rois d'Engleterre & nient repellez soient fermement tenux & gardez en toutz pointz.

FIRST, That the Great Charter, and the Charter of the Forest, and all other statutes and ordinances made in his time, and in the time of his noble progenitors Kings of England, and not repealed, shall be firmly holden and kept in all points.

A confirmation of former statutes not repealed.

CAP. II.

Sheriffs shall have allowance upon their accompts of things casual.

ITEM que toutz les viscontz d'Engleterre eient allowance sur leur accompts par leur serement des choses casuels come des exiretz que ne sonnent ne courgent my en ferme nen demande annuell mes de toutz ceuz choses que sonnent ou courgent en tieux fermes annuels ou demandes annuels soient ils charges envers le Roy come les viscontz ont estez chargez devant ces heures en le cas.

ITEM, That all the sheriffs of England shall have allowance upon their accompts, by their oaths, of things casual, as of estreats that be not in ferm nor in demand; (x) but of all such things that be or run in yearly ferms or yearly demands, they shall be charged to the King, as the sheriffs have been charged in that case in times past.

4 Inst. 107. Sheriffs shall have allowance, upon their accompts, of things casual. * Sound.

CAP. III.

No man shall make any pattens of aspe, upon pain of an hundred shillings.

ITEM, that the patenmakers in the realm of England, from henceforth shall make no patens nor clogs of timber called aspe, upon pain to pay to the King, a hundred shillings, at every time that the said patenmakers make any patens or clogs of the said timber. And that every man that will sue for the King, shall have the one half of the pain so forfeit, so that the fletchers

Ex edit. Rast.

Patenmakers.

Rep 21 Jac. 1. through C. 28.

through the realm shall sell their arrows at a more easy and reasonable price from henceforth than they were wont.

C A P. IV.

The penalty assigned by the statute of 12 RICH. II. cap. 4. for giving or taking of excessive wages, shall be imposed upon the taker only.

Servants
wages.

ITEM, whereas in a statute made at *Canterbury*, in the time of King *Richard* the Second, the twelfth year of his reign, certain wages was ordained by the year for bailiffs and other servants of husbandry, and also for other servants and labourers, as well within cities and boroughs as elsewhere through the realm: and that if any give or take by covenant by the year more than is specified in the said statute, That at the first time that they be thereof attainted, as well the givers as the takers shall pay the excess so given, and at the second time the double of the excess so given: and forasmuch as the givers, when they have been sworn before the justices of peace, will in no wise present such excesses, to eschew their own punishments, to the great loss of the King, as of his fines and amerciaments for the concealing, and grievous damage to the lords and other people of the realm, because of the non due punishment of the defaults of servants and labourers aforesaid as the King hath perceived by the complaint of his commons: the same our sovereign lord the King hath ordained, That the pain of the giver shall be out in this party, and that the pain contained in the said statute shall run only upon the taker. And that this ordinance hold place and force till the feast of Saint *Michael* next coming, and then till the end of two years then next ensuing.

C A P. V.

How merchant strangers shall be used, and hosts appointed for them.

A confirmation of the statute of 5 H. 4. c. 7. & 9. concerning the using of merchant strangers.

ITEM, whereas in a statute made in the time of King *Henry* the Fourth after the conquest, the fifth year of his reign, it was ordained and established, That all the merchants aliens, of what estate or condition they be, coming, abiding, or resident within the realm of England, should be entreated and demeaned within the same realm in the same form, manner, and condition, as the merchant denizens be or shall be entreated or demeaned in the parts beyond the sea, and in no other manner, upon pain to forfeit to the King all the goods and chattels of the said merchants aliens. (2)
And

ITEM come en un estatut fait en le temps del Roy *Henry* quarte puis le conquest lan de son regne quint ordeine fuit & establie qe toutz les marchantz aliens de quell estat ou condition qils soient venantz demorantz ou repairantz deinz le roialme d'Engleterre soient traitez & demesne deinz mesme le roialme en manere fourme & condition come les marchantz deinzseins sont ou seroient traitez ou demesnez es parties de par dela & en null autre manere sur peine de forfaire a Roi toute les biens & chatoux des ditz marchantz aliens

liens & sur peine demprisonement des corps de mesmes les merchantz aliens. Et ensement ordeine fuit & establie en temps du dit nadgairs Roi Henry entre autres choses par estatut qen chescun citee ville & port du meer dEngleterre ou les ditz merchantz aliens & estranges sont ou seront repairantz soient assignez a mesmes les merchantz suffisantz hosties par les mairs viscontz ou bailives des ditz villes & ports du meer & qe les ditz merchantz aliens & estranges ne soient demurantz en autre lieu sinon ovesqe les ditz hosties ensi a assigners & qe mesmes les hosties ensi a assignerz preignent pur lour travail len manere qe fuit accustumez en auncien temps. Et pur tant qe nostre seignur le Roi ad entendu qe mesmes les estatutz nont este misez en execution Si voet & grante mesme nostre seignur le Roi tressoverain qe ycelles estatutz soient fermement tenuz & gardez en toutz pointz & mys en due execution du ceo enavaunt solonc la contenu en ycelles.

And also it was ordained and stablished in the time of the said late King Henry, amongst other things, by statute, That in every city, town, and port of the sea of England, where the said merchants aliens or strangers be, or shall be repairing, sufficient hosts shall be assigned to the same merchants by the mayors, sheriffs, or bailiffs of the said cities, towns, and ports of the sea; (3) and that the merchants aliens and strangers shall not remain in other places, but with the said hosts so to be assigned; and that the same hosts so to be assigned shall take for their labour in the same manner as was accustomed of old time: (4) and for that our lord the King hath perceived that the same statutes have not been put in due execution, he willeth and granteth, That the same statutes shall be firmly holden and kept in all points, and put in due execution from henceforth according to the purport of the same.

CAP. VI.

Penalty on Irish prelates for collating an Irishman to a benefice in England, or bringing an Irishman to parliament to discover the counsel of Englishmen to rebels.

ITEM, whereas it was ordained in the time of the King's Ex edit. Rast. Ireland. noble progenitors, by a statute made of the land of Ireland, That none of the *Irish* nation should be chosen by election to Irish nation. an archbishop, bishop, abbot or prior, nor in none other manner received nor accepted to any dignity or benefice within the Promotion. said land; and now of late many such *Irish* people, by force of Collation. certain letters of licence to them made by the King's lieutenants Lieutenant in there, to accept and receive such dignities and benefices, be Ireland; promoted and advanced to archbishops and bishops within the said land, which also make their collations to *Irish* clerks of the dignities and benefices there, against the form and effect of the said statute: and whereas they be said peers of the parliament in the same land, they bring with them to the parliaments and councils holden there, *Irish* servants, whereby the privities of the *Englishmen* within the same land have been and be daily discovered

covered to the *Irish* people, rebels to the King, to the great peril and mischief of the King's lawful liege people in the same land: our sovereign lord the King that now is, desiring for the same to provide remedy, for the surety of his faithful subjects, by the assent of the lords aforesaid, and at the request of the said commons, will and granteth, That the said statute shall stand in his whole force, and well and duly be kept and fully executed upon his grievous indignation. And moreover he hath ordained and stablished, by the assent and request aforesaid, That if any such archbishops, bishops, abbots, or priors, of the *Irish* nation, rebels to the King, have in times past made, or from henceforth shall make any collations, or presentments to benefices of holy church in the said land of *Ireland*, against the form of the same statute, or bring with them any *Irish* rebels amongst the *Englishmen*, to the parliaments, councils, or other assemblies, within the same land, to know the privities and states of the said *Englishmen*, and the same to discover to the said rebels, that then maintenance from time to time, all their temporalities shall be seized into the King's hands, there to remain till they have made fines to the King in this part. And also that all the lieutenants of the King and of his heirs in the said land of *Ireland*, be utterly defended and restrained from henceforth, to have any manner of power to give or to grant any such benefices or pardons in the case of *Irish* persons, not *English*. And that all such licences not executed, made and granted by the King's lieutenants in the same land before this time, and also to be granted by them hereafter, shall be void and of no force nor value.

C A P. VII.

In what cases letters of marque may be granted.

2 H. 5. c. 6.

ITEM, because our sovereign lord the King hath heard and conceived, at the grievous complaint of the commons of his realm in this parliament, for that in respect of a statute made at his parliament holden at Leicester the last day of April, the second year of his reign, in which statute is contained, That the breaking of truce and of safe conduits, and willing receipt, abetment, procurement, counsel, hiring, sustaining, and maintaining of breakers of truce, and of the safe conduits of the King our lord, to be made by his liege people from henceforth within the realm of England and Ireland, and the country of Wales, upon the main sea, shall be judged and determined for high treason done against the crown

Item pur ceo que le Roi nostre souverain seigneur ad oiez & concieu a la grievous complaint de la comminalte de son roialme en cest present parlement de ceo que par cause dun estatut fait en son parlement tenuz a Leycestre le darrein jour d'Averill lan de son regne seconde en quel estatut il est contenuz que les romperies des triesues & faufconduitz & voluntries receipt abettement procurement conseil lower sustenance & maintenance des rompours de triesues & faufconduitz du Roi nostre souverain seigneur par ses lieges affaires delors en avant dedeinz les roialmes d'Engleterre & Irland & la pais de Gales & sur le haut meer soient

en

ent ajuggez & terminez pur haut traïson fait encontre la corone & dignite du Roi a cause de quell estatut combien qe les subgitz du Roi soient grevez encountre les trieues ils noo-sent soy purvoier de remedie par voie de fait purtant les ennemys du Roy nostre souverain seigneur sibien es parties depar dela la meer come en roiaume d'Escoce en ont pris grande corage de grever les foialx lieges du Roy en tuant ascuns de eux & ascuns en priegnaunt prisoners & auxi en priignant lour biens & chateux encountre le tenure des trieues sibien sur le haut meer come en les marches d'Escoce desuisdit dont le suisdit comminalte humblement ad supplie nostre dit seigneur le Roi de remede voillant le Roi nostre dit seigneur en ceo cas & autres toutditz purvoier a l'indempnitee de ses lieges & foiaux subgitz ad declarez en cest present parlement qe de toutz attemptatz faitz par ses ennemys sur ascuns de ses foialx lieges encountre le tenure daucunes trieues devant ces heures prises en les quelles nest pas fait expresse mention qe toutz marques reprisailles cessent mesme nostre seigneur le Roi a toutz qi lour sentiront en tiel cas grevez voet grauntier marque en due forme & pareillement ferra nostre dit seigneur le Roi a toutz ses lieges qi le sentiront grevez encontre le tenure daucuns trieues qe contre luy & aucuns ses ennemys serront de novel prisez en temps avenir. Et a la greindre consolation de ses ditz foialx lieges an fyn qils purront puis prestement & sanz longues delais avoir remede en ceo cas voet mesme nostre seigneur le Roi

crown and the King's dignity; (2) by reason of which statute, though the King's subjects be so much grieved against the truce, that they dare not provide remedy by way of act, for that the King's enemies, as well in the parts beyond the sea, as in the realm of Scotland, have hereof taken great courage to grieve the King's faithful liege people, in slaying some of them, and in taking some of them prisoners, and also taking their goods and chattels, against the tenor of the truce, as well upon the main sea, as upon the marches of Scotland, whereof the said commons have humbly beseeched our said sovereign lord the King to provide remedy; (3) the King

Letters of marque shall be granted to any of the King's subjects with whom truce is broken upon the sea. willing, as well in this case as in other, to take order for the indemnity of his liege people and faithful subjects, hath declared in this present parliament, That of all attempts made by his enemies upon any of his faithful liege people, against the tenor of any truce taken before this time, wherein is no exprefs mention made, that all marques and reprisals shall cease, the same our sovereign lord the King will grant marque in due form to all them that feel themselves in this case grieved, (4) and our said lord the King will do the like to all his liege people that feel them grieved against the tenor of any truce, which betwixt him and any of his enemies shall be newly taken hereafter. (5) And the manner how to obtain letters of marque.

tenor and form of such truce within the realm of *England*, out of the said marches of *Scotland*, or upon the sea, or in the parties beyond the sea, shall complain to the keeper of the privy seal, which for the time shall be, who after such complaint heard and perceived, thereof shall make to the party complainant (if he the same require) letters of request under the privy seal in a due form. And if, after such request made, the party required do not make, within a convenient time, due restitution or satisfaction to the party grieved, then the chancellor of *England* for the time being shall cause to be made to such party grieved (if he that demand) letters of marque under the great seal in a due form. (6) And as for remedy to be ordained for the King's liege people and subjects, that feel them grieved in the realm of *Scotland*, or in *England* at the marches joining to *Scotland*, against the form of such truce as afore is said, our lord the King shall give power by commission to the wardens, as well of the East marches, as of the West marches, toward *Scotland*, and to every of them, to hear the complaints of all them his liege people and subjects which be or shall be grieved, and to cause thereupon to be made request by letters to be delivered to him which hath done, or shall do, such grievance, or to the wardens of the marches, or conservator of the truce of the parties of *Scotland*, if he may well do it; or otherwise to make proclamation in open places upon the marches, that he or they which have done such grievances against the truce

Roi que celui ou ceux qui se sentira ou sentiront grevez encontre le teneur & fourme de tielles trieues dedeins le roialme d'Engleterre hors de les suifditz marches d'Escoce ou sur le meet ou es parties pardela soy compleindra ou compleindront au gardeint du prive seal qi pur le temps serra qi tiel compleint oiee & entendue ent serra pur la partie compleignante lettres de request soutz le prive seal en due fourme. Et si apres tiel request faite la partie requise ne serra dedeinz temps covenable due restitution ou satisfaction a la partie grevee adonques le chaunceller d'Engleterre pur le temps estant serra faire a tiele partie grevee si le voet demander lettres de marque defoutz le grande seal en due fourme. Et quant a purveance de remede pur les lieges & subgiz du Roi qi se sentont ou sentiront grevez en dit roiaume d'Escoce ou en Engleterre es marches adjoignantz au dit roiaume d'Escoce cointre la forme de tielles trieues come deffuis le Roy nostre seignur dounra poair par commission as gardeins sibien de l'est marche come de la West marche vers Escoce & a chescun de eux pur oier les compleints de toutz yceux de ses lieges & subgiz qi ensi sont ou ferront grevez & pur faire sur ceo estre faite request par lettres a bailler a celui qi ad ou avera fait la grevance ou a gardein de la marche ou conservatour de les trieves pur la partie d'Escoce si se purra bonement faire ou autrement de faire proclamation en lieux publiks sur la marche que celui ou ceux qi avera ou averont fait tiels grevances encontre les trieues ent face ou facent

Letters of
marque where
truce is broken
in Scotland,
or the marches
thereof.
Repealed by
4 Jac. I. c. 1. so
far as it con-
cerns the peo-
ple of Scot-
land.

façent due restitution ou satisfaction a la partie grevee & fils ne le facent point dedeins temps covenable adonques al instance de chescun des lieges & subgiz du Roi nostre seigneur qi en sente ou en sentira estre greveez en tiel cas pur y douner lettres de marque en due fourme desoutz les sealx des ditz gardeins ou desoutz le seal de celui de eux a qi la compleinte ferra faite en ceo cas sanz difficulte aucune.

truce, shall make due restitution or satisfaction to the party grieved; (7) and if they do it not within a convenient time, then at the instance of every of the King's liege people and subjects, which thereof seeleth, or shall feel himself grieved in such case, letters of marque be given in due form under the seals of the said wardens, or under his seal to whom the complaint shall be made in this case, without any difficulty.

C A P. VIII.

The King's pardon of the suit of his peace, and of certain issues lost.

ITEM, our said sovereign lord the King; for his special grace, Ex edit. Raft. Pardon. by the assent of the lords spiritual and temporal, and at the request of the commons, being in this parliament; hath released and pardoned to all his liege people, and to every of them, all manner of fines, issues, and amerciaments, and all other forfeitures, pains, pecuniar debts and demands, to the sum of twenty-six shillings eight pence and under, till the xix. day of *October*, which was the first day of this parliament, fallen, determined, or to be determined. Also he hath pardoned all manner of fines and amerciaments of, and for all manner of trespasses, offences, misprisions, contempts, conspiracies, confederacies, negligencies, ignorances, concealments, and deceits, done or perpetrate before the said nineteenth day, for which any fine or amerciament is or shall be assessed in time to come to the said sum and under. And also chattels of fugitives and felons, waives and strays, and the chattles of those that be outlawed, and chattels of felons of themselves, which to the King pertaineth, or which for any of the said causes in any manner may pertain before the said xix. day, to the sum aforesaid and underneath forfeit, and of outlawries, if any in the King's liege people, or any of them by such encheson be pronounced. Provided always that none enjoy the benefit of this pardon, which is or shall be charged, or chargeable over the said sum, for the causes aforesaid, or any of them. And moreover, our said sovereign lord the King of his special grace, hath released and pardoned to his said subjects, the suit of his peace, which to him against them pertaineth, because of any treason done or perpetrate by them or any of them before the said xix. day of *October*, for breaking of the King's truce and safe conducts. And also the outlawries, if any against them or any of them be pronounced by such enchesons. And also the King will, That every of the said liege people, as well of the county palatine of

Lancaster, or elsewhere within the realm of *England*, shall enjoy this pardon without suing charter or writ in this behalf.

A statute made at *Westminster*, Anno 5 HEN. V.
and Anno Dom. 1417.

All persons until the next parliament may make their attornies in wapentakes, hundreds, and court barons.

Ex edit. Rast.
Attorney.

HENRY King, &c. to the sheriff of *Yorkshire* greeting. Know thou that in our parliament last holden at *Westminster*, it was ordained and granted, That all our liege people, as well religious as secular, and every of them, might till the next parliament make their attornies, where attornies do lie in their proper persons, in any plea of debt, trespass, or other contract, moved or to be moved in any wapentakes, hundreds, and court barons through the realm, before the stewards there, or their deputies, to win or to lose the same pleas. And if any such stewards refuse to admit such attornies, then they and every of them at every time of such refusal, shall forfeit to Us forty shillings. And therefore We command thee, That thou do the said ordinance in all places of thy county, where shall be most expedient and necessary, openly to be proclaimed and observed, according to the form and effect of the same: witness *John* duke of *Bedford*, protector of *England*, at *Westminster* the xvi. day of *January*, the fifth year of our reign.

3 H. 5. stat. 2.
c. 2.

A statute made at *Westminster*, Anno 7 HEN V.
and Anno Dom. 1419.

A remedy against those that indict others of felony committed in a place where there is none such. Process against makers, &c. of false deeds.

HENRY King of *England*, &c. to his chancellor in the county palatine of *Lancaster*, greeting. Know ye, That so much as divers men of malice and envy, and for gain and revenge, have often caused to be indicted and appealed divers of our true liege people, of treasons or felonies in the county of *Lancaster*, pretending by those appeals and indictments, that the said treasons or felonies were committed in a certain

HENRICUS dei gratia Rex Anglie & Francie & dominus Hibernie cancellario suo comitatus palatini *Lancastrie* salutem. Sciat quod pro eo quod gentes nonnullae ex malitia & inimicitia ac propter lucrum & vindictam diversos fideles ligeos nostros de proditi-
onibus sive felonis in comitatu *Lancastrie* frequentius indictari & appellari fecerunt pretendentes per appella seu indictamenta illa

illa quod predictæ proditiones aut felonie perpetrare fuerunt in certo loco ubi de veritate talis locus in comitatu predicto in quo appellum vel indictamentum factum existit non habetur ad grave dampnum & periculum ligeorum nostrorum huiusmodi considerato quod quidam sic appellati & indictati coram iusticiariis ad respondendum inde ob metum verberationis mahemii seu interfectionis eorundem per ipsorum appellationum seu indictmentorum conspiratores aut ea fieri procurantes in propriis personis comparere non audent prout per communitatem regni nostri Anglie in ultimo parlamento nostro apud Westm' tento existentem per petitionem suam in parlamento illo exhibitam fuerat graviter conquerendo monstratum ordinatum extitit in eodem parlamento de assensu prelatorum procerum & magnatum dicti regni nostri Anglie ibidem existentium ad requisitionem dicte communitatis pro communi utilitate & quieti populi ejusdem regni nostri quod quilibet iustitarius qui ad huiusmodi proditiones & felonias infra comitatum predictum audiendum & terminandum potestatem habet per sacramentum duodecim virorum quorum quilibet liberum tenementum in predicto comitatu valoris annui centum solidorum ultra reprimas optineat priusquam exigenda adjudicata fuerit absque partis allegatione tam in partis absentia quam presentia inquirat ex officio utrum aliquis talis locus est in comitatu ubi appella seu indictmenta illa sunt facta sive facienda necne. Et si comperitum fuerit quod talis locus non habe-

tain place, where of truth no such place is had in the said county where the said appeal and indictment is made, to the great damage and peril of such our liege people, considering that some so appealed and indicted dare not appear before the justices in their proper persons, to answer thereof, for fear of beating, maiming, or killing of them, by the conspirators or procurors of the same appeals and indictments, as by the commons of the realm of England, in our last parliament holden at Westminster, by their petition there exhibited, grievously complaining, was shewed: (2) it is ordained in the same parliament, by the assent of the prelates and great men of the same realm there being, at the request of the said commons, for the common profit and quietness of the people of the same realm, That every justice which hath power to hear and determine such treasons and felonies within the said county, by the oath of twelve men (of whom every one shall have freehold in the same county to the yearly value of an hundred shillings above all charges) before that the exigent be awarded, without allegation of the party, as well in the party's absence as his presence, shall inquire of office, whether any such place be in the county where such appeals or indictment be made, or to be made, or not: (3) and if it be found that there is no such place within the same county, then such appeals and indictments, and the process thereupon made, or to be made, shall be void, and holden for none; and that in such case the indictors aforesaid be punished by imprisonment, fine,

9 H. 5. stat. 1.
c. 1.
18 H. 6. c. 12.
A remedy against those that do indict or appeal others of treason or felony committed in a place within the county of Lancaster, whereas there is no such place.

and ransom by the discretion of the said justices. (5) And that this present ordinance and remedy extend as well to appeals and indictments not determined before this time, as to appeals and indictments to be taken hereafter; (6) and if any exigent from henceforth be awarded, before that such inquisition of office, as afore is said, be taken, that the same exigent, and the awarding thereof, be likewise void and holden for none. *Continued by 9 Hen. 5. c. 1. made perpetual 18 Hen. 6. c. 12.*

The like process shall be awarded against him that maketh and publisheth false deeds by Capias and Exigent, as in writs of trespass.

Rep. 5 El.c. 14.

II. Provided that this present ordinance have strength, and extend only until the next parliament. (2) And also know ye, That in the said parliament, of the assent and request afore said, it was ordained and established, That in writs to be purchased against those that forge or make untrue charters or miniments, and them proclaim, or cause to be read, like process shall be made by *Capias* and exigent, as in writs of trespass. (3) And therefore we command you, firmly enjoining, That immediately after the sight hereof, you cause this statute and ordinance openly to be proclaimed in the places within the same county where shall be most expedient and necessary, as well within liberties as without; (4) and that also you cause all and singular our justices, having power to hear and determine felonies and treasons within the said county, fully to be instructed, and without delay to be certified of the said ordinance and statute by your letters, containing the tenour of the same. Witness, &c. the sixteenth day of *December*, the

habetur infra eundem comitatum tunc appella & indictamenta ipsa & processus inde factus seu faciendus sint vacua & pro nullis habeantur et quod in casu illo indictatores predicti per imprisonmentum finem & redemptionem per discretionem justitiariorum predictorum puniantur. Et quod presens ordinatio & remedium tam ad appella & indictamenta non determinata ante hec tempora capta quam ad appella & indictamenta in futurum capienda se extendant & si que exigenda antequam hujusmodi inquisitio ex officio ut supradictum est capiatur de cetero fuerit adjudicata quod tunc exigenda et adjudicatio ille similiter sint vacue & pro nullis habeantur.

Provisio quod presens ordinatio vigorem habeat & se extendat usque ad parlamentum proximo futurum duntaxat. Et ulterius sciatis quod in parlamento predicto de assensu & requisitione predictis ordinatum fuerat & statutum quod in brevibus versus eos qui fabricant seu faciunt cartas sive minimenta minus vera & ea proclamant & legi faciunt perquirendis fiat processus consimilis per *Capias* & exigendam ut in brevibus de transgressionem. Et ideo vobis mandamus firmiter injungentes quod statim visis presentibus ordinationem & statutum predicta in locis infra comitatum illum ubi magis expediens fuerit & necesse tam infra libertates quam extra publice proclamari demandetis nec non omnes & singulos justitiariorum nostros potestatem audiendi & terminandi felonias & proditiones infra comitatum predictum habentes de dictis ordinatione & statuto per literas vestras

the seventh year of our reign. (5) And by petition in the parliament holden at *Westminster* the second day of *December*, the eighth year of the same King, a like writ was made; saving that the *Teste* of the same writ was. Witnesses *Humphrey* duke of *Gloucester*, protector of *England*, at *Westminster*, the tenth day of *January*, the eighth year, &c.

vestras tenorem eorundem continentes plenarie instrui & certificari facitas indilate. Testes * *Johanne duce Bedfordie* custode Anglie apud *Westm'x.* die *Decembris* anno regni nostri *septimo*.

* *Humfrido* duce *Gloucestrie* custode Anglie, &c. decimo die *Januarii* anno octavo, &c.—Nova statuta.

REX vicecomitibus London' salutem. Sciat is quod pro eo quod gentes &c. ut supra usque—ut in brevibus de transgressione. Et tunc sic: Et ideo vobis precipimus firmiter injungentes quod &c. ut supra usque ibi—& necesse et tunc sic—publice proclametis seu proclamari faciatis. Teste ut supra.

Consimilia brevia diriguntur singulis vicecomitibus per Angliam.

A statute made at *Westminster*, Anno 8 HEN. V.
and Anno Dom. 1420.

AU parlement tenuz a *Westm'* le second jour de *Decembris* lan du reigne le Roy *Henry* quint puis le conquest oepusme mesme nostre seigneur le Roy del assent des seignurs esperituelx & temporelx & a les especiale instance & request des communes assemblez a ceo mesme parlement fist ordeiner & establir certains estatutz & ordonances en la fourme qensluit.

AT the parliament holden at *Westminster* the second day of *December*, the eighth year of the reign of King *Henry the Fifth*, the same our lord the King, by the assent of the lords spiritual and temporal, and at the special instance and request of the commons assembled in the same parliament, hath caused to be ordained and established certain statutes and ordinances, in the form following,

C A P. I.

Parliament writs being awarded in the name of the King's lieutenant, shall not be stayed by the King's return into England.

FIRST, forasmuch as by the grace of God a final peace was late taken betwixt the King our sovereign lord and the King of *France* his father in such form, That our said sovereign lord the King shall be named heir and regent of the realm of *France*, during the life of his said father, and shall have the governance of the same. And after the death of his father, the said realm and crown of *France* shall remain to our sovereign lord the King, and to his heirs for ever. It is very likely, That for the good governance as well of the realm of *France* as of this realm

Parliament.

of

of *England*, our said sovereign lord the King some time shall be on this side the sea, and some time beyond the sea, according as best shall seem to his sage discretion for the better governance of the one realm and the other: therefore it is ordained and established, That if in time to come our said sovereign lord the King, being beyond the sea, cause to summon his parliament in this realm by his writs under the (teste) of his lieutenant, which now is or which for the time shall be, and after the summons of such parliaments gone out of the chancery, our sovereign lord the King arrive in this realm, that for such arrival of the same our sovereign lord, such parliament shall not be dissolved, but in the same afterward our sovereign lord the King shall proceed without new summons of the same.

CAP. II.

Certain gold or silver shall be brought to the mint instead of wool or tin transported.

Wools.
Bullion.
Tin.

ITEM, it is ordained and established, That every merchant-stranger buying wools in *England* to bring them to the west parts or elsewhere, not coming to the staple, there to be sold, shall bring to the master of the mint of the tower of *London* of every sack, one ounce of bullion of gold, and in the same manner of three pieces of tin, one ounce of bullion of gold, or the value in bullion of silver, upon pain of forfeiture of the same wools and tin, or the value of the same to the King.

CAP. III.

What things only may be gilded, and what laid on with silver.

What things
only may be
gilded, and
what laid on
with silver.

ITEM, That none from henceforth shall gild any sheaths, nor metal, but silver, and the ornaments of holy church; (2) nor shall silver no metal but knights spurs, and all the apparel that pertaineth to a baron, and above that estate, upon pain of forfeiture to the King ten times as much as the thing so gilt is of value, and shall have also one year's imprisonment. (3) And the justices of peace shall have power to inquire thereof, and that to determine. (4) And he that will sue for the King in this behalf, shall have the third part of the said pecuniary pain.

3 H. 4. c. 13.

II. Provided, That this last ordinance shall begin to hold place

ITEM qe nulle persone en norre en temps avenir ascuns dez gemes appellees sheethes ne metaille sinon argent & les ornaments de seint eglise ne argente null metaille forspris les esperons des chivalers & tout l'appareille qe appartient au baron & desuis celle estate sur peine de forfaire au-Roy dys soit a tant come la chose issint enorree soit de value & avera auxi lemprisonement dun an. Et eient justices de la pees poair dent enquerer & ceo terminer et celuy qd ferra la suit pur le Roy ceste partie ait la terce partie de la dit peine pecuniere.

Purveu qe cest darrain ordainance comencera a tenir lieu a le

a le fest da Pask proſchein av-
nir.

place at the feaſt of *Eaſter* next 5 H. 4. c. 13.
coming.

Statutes made at *Weſtminſter*, Anno 9 HEN. V.
ſtat. 1. and *Anno Dom.* 1421.

AU parlement tenuz a
Weſtm' le ſeconde jour
de Maii lan du regne del Roy
Henry quint puis le conquett
noeueſme meſme noſtre ſeignur
le Roy del aſſent des ſeignurs
eſpirituelx & temporelx & a les
eſpeciale inſtance & requeſt des
communes assemblez a ceo
meſme parlement fiſt ordeiner
& eſtablir certains eſtatutz &
ordinances en la fourme quen-
ſuiſt.

AT the parliament holden at
Weſtminſter the ſecond day
of May, the ninth year of the
reign of King Henry the Fiſth
after the conquest; the ſame our
lord the King, by the aſſent of the
lords ſpiritual and temporal, and
at the ſpecial inſtance and requeſt
of the commons, aſſembled in the
ſame parliament, bath cauſed to be
ordained and eſtabliſhed certain
ſtatutes and ordinances in the form
following.

CAP. I.

*A continuance of the ſtatute of 7 Hen. 5. touching indict-
ments.*

EN primes pur ceo qe plu-
ſeurs gents par malice
enemie & vengeance facent
ſovent ſoitz les foialx lieges du
Roy eſtre appelez ou enditez
en diuerſes countes des traifons
ou de felonies ſuppoſant par les
ditz appelez ou enditements qe
les ditz traifons & felonies fu-
rent faitz en un certain lieu la
ou il nad tiel lieu en cell coun-
tee ou lenditement eſt fait ne

FIRST, That the ſtatute
made in the parliament 7 H. 5. c. 1.
holden at *Weſtminſter* in the
ſeventh year of the reign of
our ſaid lord the King, touch-
ing appeals and indictments,
ſtand in his force, and hold
place, till the next parliament
to be holden after the King's
return from beyond the ſea in-
to England.

Made perpe-
tual by 12 H. 6.
c. 12.

tiel lieu come eſt ou ferra declaree par les ditz appellez ordeines
eſt qe les ditz appellez & enditementz & le proces dicelles ſoient
voidez & tenuz pur null et qe les ditz appellez ou enditez poient
avoir brieves de conſpiracie vers leur enditours procurours &
conſpiratours & recoverer leur damages & qe les ditz enditours
procurours & conſpiratours ſoient auxi puniz par emprifonement
ſyn & raunceron pur avantage du Roy par diſcretion dez juſtices.
Et qe ceſt ordinance & remedie ſextendent auxiben des appeller
& enditementz priſez devaunt ces heurs en temps noſtre ſeignur
le Roy quoreſt nient determinez come des appellez ou endite-
ments aprendrerz en temps avenir et qe ceſt ordinance eſtoife en
la force tange a proſchein parlement a tenir puis la revenu noſtre
dit ſeignur le Roy en Engleterre de pardela.

CAP.

CAP. II.

No person outlawed in the county of Lancaster shall forfeit any lands or goods but such as be bath in the same county.

County of
Lancaster.
4 Inst. 51.

ITEM, it is ordained, That none of the King's liege people, against whom an *Exigent* shall be awarded, or outlawed at the King's suit from henceforth, or at the suit of the party in the county of *Lancaster*, shall forfeit any of his goods or chattels, lands or tenements in other counties, but only such goods and chattels, lands and tenements, which the said outlaws have in the same county of *Lancaster*. Provided always, That the statute made the first year of King *Henry* the Fourth, against the people of the county of *Chester* which do many manslaughters, murders, robberies, batteries, trespasses and other riots and offences to divers the King's liege people, shall stand in his force, notwithstanding this present ordinance. And that this ordinance stand in his full force till the parliament which shall be first holden after the King's return into *England* from beyond the sea.

County of
Chester.

1 H. 4. c. 18.
18 H. 6. c. 13.
20 H. 6. c. 2.
33 H. 6. c. 2.

CAP. III.

Protections granted to them that be in the King's service in Normandy or France, or which shall pass with him into France.

Affises.
Protection.
Judgement.

ITEM, whereas the taking of affises hath long ceased throughout the realm, because of an ordinance made by the King at his second passage towards the parts of *Normandy*, and by his council: the King considering the diseases and damage, which many of his liege people have had and sustained by the same ceasing, hath commanded, That the justices shall hold the affises through his realm by the manner accustomed. And for to eschew the disherisons of such persons, as now shall pass in this present voyage of the King our sovereign lord (whom God speed) and also of such persons as abide in the King's service in the parts of *Normandy* and *France*: it is ordained and provided, That in every protection with the clause *Volumus*, to be made for any of the same persons, in the clause of the exception contained in the same, omissions shall be made of these words *affise novel disseisin*. And that all such protection be allowable and allowed for them and every of them, in all the King's courts and elsewhere, where such protection is set forth for any such person, in all pleas of affises, as well of *novel disseisin* as of *fresh force*, without difficulty: provided always, That the judgments to be given from henceforth in such affises, arraigned or to be arraigned, shall not be prejudicial to any of the said persons so abiding in the King's service beyond the sea (as afore is said) which have any thing in reversion or in remainder in the lands or tenements, whereof such affises be or shall be arraigned, if they that have in reversion or remainder in such lands and tenements, be not named in the same affises, but that they be against them all void. And this ordinance shall endure till the parliament that shall be

first holden after the King's next return into *England*. And if this ordinance touching the said persons so abiding in the King's service beyond the sea, and also touching the said persons which have passed and shall pass in the said voyage, be not sufficient for the ease and surety of them: it is accorded and also assented, That the lords of the King's council for the time being shall have full power by authority of this parliament, to set, ordain, and provide sufficient remedy, for the ease and surety of all the same persons, as for them and every of them shall seem to the said lords most available and expedient in the case, according to their good advice and discretions.

4 H. 6. c. 2.
14 Ed. 4. c. 2.

C A P. IV.

The justices may amend defaults in records or process after judgment given.

ITEM come ordeine fuit & estable en lestatut fait lan quatorziesme del Roy E. tierce puis le conquest qe pur mesprisoun du clerk en qeconque place qe ceo soit ne soit processe du plece anientie ne discontinue par mesprendre en escrivant un lettre ou un silable trop ou trop poy mes si tost come la chose sera apercieu par chalange du partie ou en autre manere soit hastiment amende en due fourme sanz doner avantage au partie qe ceo chalengera pur cause de tiel mesprisoun le Roy nostre soverayn seigneur considerant la diversitee d'opinions queux len avoit sur le dit estatut & pur mettre la chose en le plus overte conissance ad declares & ordeinez au present par auctorite du cest parlement qe les justices devaunt queux tiel plece ou recorde est fait ou sera pendant sibien par adjournement come par voie derour ou autrement eient poar & auctorite de amender tiels recorde & proces come avaunt est dit solonc la forme de mesme lestatut sibien apres jugement en tiel plece recorde ou proces renduz come avaunt le jugement renduz en tiel plece recorde ou proces tant come les
ditz

ITEM, whereas it was ordained and established in the statute made the fourteenth year of King Edward the Third after the conquest, That for misprision of the clerk in any place whereforever it be, the process of the plea should not be avoided nor discontinued, by mistaking in writing one letter or syllable too much or too little, (2) but as soon as the thing is perceived, by challenge of the party, or in other manner, it should hastily be amended in a due form, without giving advantage to the party that challengeth the same because of such misprision; (3) the King our sovereign lord, considering the diversity of opinions which have been upon the said statute, and to put the thing in more open knowledge, hath declared and ordained at this time, by authority of this present parliament, That the justices before whom such plea or record is made, or shall be depending, as well by adjournment, as by way of error, or otherwise, shall have power and authority to amend such record and process, as afore is said, according to the form of the same statute, as well after judgment in any such plea, record, or process given, as before judgment given

14 Ed. 3. Stat. 1.
c. 6.

Dyer, 342.
5 Co. 45.

The justices before whom default shall be found in any records or process may amend them as well after as before judgment.

given in any such plea, record, or process, as long as the same record and process is before them, in the same manner as the justices had power to amend such record and process before judgment given by force of the said statute made in the time of the said King *Edward*.

(4) And that this ordinance endure till the parliament that shall be first holden after the return of our sovereign lord the King into *England* from beyond the sea.

Made perpetual by 4 H. 6. c. 3.
8 H. 6. c. 12. 15.

ditz recorde & proces soient devaunt eux en mesme le manere come justices avoient poiar de amendre tielx record & proces avaunt judgement renduz par force del dit estatuit en temps du dit Roy E. fait come desuis. Et durrera cest ordinance tanqe a parlement qi ferra tenuz primerement apres la revenue du nostre souverain seignur en Engleterre de pardela.

CAP. V.

During four years the King may assign sheriffs, &c. to continue in their offices above one year, notwithstanding the statute of EDWARD 3. stat. 1. cap. 7.

Ex edit. Rast.
Sheriff.

Escheator.

ITEM, whereas by the statute made at *Westminster* the xiv. year of King *Edward* the Third, it was ordained and established, That no sheriff should abide in his bailiwick above one year, and that then another convenient should be set in his place, which should have lands sufficient within his bailiwick: and that no escheator should tarry in his office above a year. And whereas also at the time of the making of the said statute divers valiant and sufficient persons were in every county of *England*, to occupy and govern the same offices well towards the King and all his liege people, for as much that as well by divers pestilences within the realm of *England*, as by the wars without the realm, there is not now such sufficiency: it is ordained and established, That the King, by authority of this parliament, may make the sheriffs and escheators through the realm at his will, until the end of four years, except in the counties where certain persons be inherit in such manner offices: the said term to begin at the next election of such officers, notwithstanding the said statute made the said xiv. year or any other statute or ordinance made to the contrary. And that the same officers be persons sufficient and of good fame. And that the sheriffs have due allowance from year to year during the same term in their accompts, and also pardons, that is to say, such as need to have such pardons, and that by the advice of the King's council, and as reason and conscience requireth.

CAP. VI.

The mint shall be at Calais.

Calais.
Mint.
Coinage.

ITEM, the King, for the ease of the merchants and other resident and abiding at *Calais*, and also to the increase of his money, will and hath ordained, That his mint and also his coinage shall be had and used within the same town of *Calais*,

as

as long as shall please the King : saving to him that that to him of right pertaineth of the mint and coinage aforesaid.

C A P. VII.

The statute provided 2 H. 5. stat. 1. c. 5. for offenders in Tyndal and Exhamshire, shall be extended against the like offenders in Rideisdale.

ITEM come en le parlement tenuz a Leycestre le darrein jour d'Aprill lan del reigne nostre tressoverayn seignur le Roy qoreft seconde a la grevous compleint fait au Roy illoeqs par certains ses communes de ceo qe plusieurs murdres trefons homicides robberies & autres maffaitz as plusieurs ses lieges par gentz demurantz dedeins les franchises de Tyndale & Exhamshire ou brief le Roy ne court mye par favour de celles franchises furent perpetres a grande meschief & peril des ditz lieges du Roy ordeigne fuit & estable qe si ascune persone des ditz franchises reseant ou demurant deinz ycelles de quelle estate ou condition il fuisse face murdres trefons homicides ou robberies ou consente de les faire hors des dits franchises proces soit fait devers luy par la commune ley tanqe il soit utlagee et qe apres tiele utlagarie pronuncie & retournee facent ent les justices devaunt queux tiele utlagarie soit retournee certification a tieux ministres ou a tiel ministre dez suisditz franchises come a eux semblera meultz celle partie solonc lour discretion & soit tiel selon pris par tiel ministre ou tieux ministres & ses terres & tenementz biens & chatieus esteantz deinz ycelles franchises seisez es mains des seignurs de mesmes les franchises pur le temps esteantz come forfait et qe les autres terres & tenementz biens & chatieus de tiel selon

ITEM, *whereas in the parliament bolden at Leicester the last day of April, the second year of the reign of our sovereign lord the King that now is, at the grievous complaint made to him there by certain of his commons, for that many murders, treasons, manslaughters, robberies, and other offences were committed by divers of the King's liege people dwelling within the franchises of Tyndal and Exhamshire, by favour of the franchise, where the King's writ doth not run, to the great mischief and peril of the said liege people ; (2) it was ordained and stablished, That if any person of the same franchises, resident and abiding within the same, of what estate or condition that he be, commit any murders, treasons, manslaughters, robberies, or consent to do the same out of the said franchises, process shall be made against him by the common law till he were outlawed ; (3) and that after such outlawry pronounced, and return made thereof, the justices before whom such outlawry shall be returned, should thereof make certificate to such minister and ministers of the said franchises, as to them best should seem in this behalf, according to their discretion ; (4) and such felon shall be taken by such minister or ministers, and his lands and tenements, goods and chattels, being within the same franchises, seised into the hands of the lords of the same franchises for the time being, as forfeit ; (5) and that the other lands and tene-*

tenements, goods and chattels of such felons out of the same franchises, shall wholly remain to the King, and to other lords having thereof franchises, as forfeit; (6) saving always to the King the forfeitures of such murderers, traitors, manslaughterers, robbers, and all such offenders, and of other things, which to him pertain as of the right of his crown. (7) And forasmuch as like murders, treasons, manslaughterers, robberies, consents, and offences by divers persons, thieves, and felons, called Intakers and Outparters,* dwelling within the franchise of Ridesdale, in which franchise the King's writ doth not run, as it is said, have been done now of late in divers places in the counties of Northumberland, Cumberland, Westmoreland, and elsewhere out of the same franchise of Ridesdale, by favour and succour of the same franchise, whereof no redress towards them hath been had by the laws heretofore used, to the great mischief, peril, and damage of the people so griev'd, as our sovereign lord the King, by the grievous complaint to him made in this present parliament, hath fully perceived: (2) our said sovereign lord the King, willing to remedy the same, hath ordained and stablished in the same parliament, That such process, certificate, and execution shall be made hereafter against such murderers, manslaughterers, robbers, consenters, and offenders, abiding or resident within the said franchise of Ridesdale, for their offences done out of the said franchise of Ridesdale. (9) And also such manner of forfeitures shall run in all points, as well to our sovereign lord the King, as to all other persons, as it was ordained

felon esteantz hors de mesmes les franchises demurgent entierement au Roy & as autres seignurs aiantz ent franchise come forfaitz salvant toutz soit au Roy les forfaitures dautiels murdrours traitours homicidours robbours & autres maffaisours queconques & dautres choses queux a luy apperteignent come de droit de sa corone. Et pur tant qe semblables murders tresons homicides robberies consentements & maffaites par diverses persones laronis & felons appelez Intakers & Outputters demurantz deinz sa franchise de Ridesdale en quele franchise le brief du Roy ne court mye come est dit ont este faitz jattard en diverses lieux en les countees de Northumbr' Cumbr' Westmerl' & aillours hors de mesme la franchise de Ridesdale par favour & socour de mesme la franchise dont null redresce vers eux nad este eu par les leies ceo enarere usez a tresgraunde meschief peril & damage a le poeple issint grevez come le Roy par clamours pleint a luy fait en ceste present parlement lad pleine ment entendu. Nostre souveraigne seignur voillant ceo remedier si ad ordeignes & establiez en ceo mesme parlement qe autieux proces certification & execution soient faitz defore enavaunt vers tieux murdrours traitours homicidours robbours consentours & maffesours demurantz ou reseantz dedeinz la dit franchise de Ridesdale pur cause de lour maffaitz faitz dehors mesme la franchise de Ridesdale. Ex auxi tieux maners forfaitures encourgent en toutz pointz sibien envers le Roy come envers toutz autres per-

* Felons called Intakers and Outputters.

The statute provided a H. 5 stat. 1. c. 5. against offenders in Tindale and Exhamshire shall be extended against the like offenders in Ridesdale.

sones come fuit ordeigne vers les ditz meffasours de Tyndale & Exhamshire par le dit estatuit fait a Leycestre & selonc la fourme & equite de mesme lestatuit salvant toutz foitz au Roy ceo qe a luy appartient celles parties come de droit de sa corone.

dained for the said offenders of Tyndal and Exhamshire by the said statute made at Leicest-ter, and according to the form and equity of the same statute ; (10) saving always to the King that which pertaineth to him in this behalf, as of the right of his crown.

11 H. 7. c. 9.
14 El. c. 13.

C A P. VIII.

Certain scholars of Oxford to be banished the university for certain offences.

ITEM, because that many clerks and scholars of the university of *Oxford*, unknown, armed, and arrayed in the manner of war, have oftentimes disseised and put out divers persons of their lands and tenements in the counties of *Oxford*, *Berks*, and *Bucks*, and also have hunted with dogs and greyhounds in divers warrens, parks, and forests, in the same counties, as well by days as by nights, and taken deer, hares, and conies : and moreover, threatening the keepers of the same of their lives, and also with strong hand have taken clerks convict of felony by due process of the law, out of the ward of the ordinaries, and those prisoners have brought with them, and let go at large, as the King, by open complaint to him made in this parliament, hath conceived : our said sovereign lord the King, willing upon the same to set remedy, hath ordained and stablished, That due process shall be made against such scholars wrong doers, for their offences, as the law and also the statutes of the land require, according to the case till they come to answer, or else be outlawed. And if any such scholar be so outlawed, then the justices before whom such outlawry shall be returned, shall certify the chancellor of the said university, for the time being of the same outlawry. And that the same chancellor, upon such certification had, shall do to be banished maintainant, and without difficulty, such outlaws out of the same university, upon the pain that pertaineth. And that this ordinance endure till the next parliament be holden, after the King's return from beyond the sea into *England*.

Ex edit. Rast.
Scholars.
Oxford.

University.
Chancellor.

C A P. IX.

No abbot or prior shall be appointed by any bishop to collect dismes or subsidies out of the county where he dwelleth.

ITEM, forasmuch as the abbots and priors of the realm of *England*, have had and sustained great damage, losses, costs, and diseases before this time, by that that they have been assigned by the archbishops and bishops of the same realm of *England*, to gather the dismes granted to the Kings of *England* by the clergy ; very far from their houses, and also in divers dioceses and counties, as they have shewed to our said sovereign lord the King by their petition delivered in this present parliament : the

Collector.

King our sovereign lord, having thereto consideration, hath ordained and stablished, That no abbot nor prior within the realm of *England*, shall be by any archbishop or bishop from henceforth ordained to be collector of any dismes or subsidies, out of the same county where he is dwelling or conversant. And this ordinance shall stand in his force till the parliament, which shall be first holden after the King's return from beyond the sea into *England*.

CAP. X.

Keels that carry sea-coals to Newcastle shall be measured and marked.

Explained by
30 Car. 2. stat. 1.
c. 8. and farther
provided
for by 6 & 7
W. 3. c. 10.

Keels that
carry sea coals
at Newcastle
from the land
to the ships,
shall be mea-
sured by com-
missioners.

ITEM, whereas of every chaldron of sea-coals, which be or shall be sold to people not franchised in the port of the town of Newcastle upon Tyne, two pence be due to the King of custom, (2) and in the same port be certain vessels called Keels, by which such coals be carried from the land to the ships in the said port; and every of the said keels ought to be of the portage of twenty chaldrons, and according to the same portage, the custom is thereof taken to the King's use: (3) there be now certain people, that of late have made such keels of the portage of twenty two or twenty three chaldrons, whereof the custom hath been taken according to the portage of twenty chaldrons only, in deceit of our lord the King, as he hath perceived by complaint in this parliament; (4) it is therefore ordained and stablished against such deceits, that all the keels which now be, and hereafter shall be in the said port, shall be measured by certain commissioners thereto assigned by the King, and marked of what portage they be, before that any carriage be made by the same, upon pain of forfeiture to the King all the vessels called Keels, by which any such coals shall be carried, before that they be marked in the manner aforesaid.

ITEM par la ou de chescun chaldre de charbons maritimes qe sont & ferront vendus as gents nient y franchises en le port del ville del Novell Chastell sur Tyne sont dues au Roy deux deniers de custume & en mesme le porte sont certainz vesselx appelez Keles par les queux tielx charbons sont caries de la terre jesques a les naefs en le dit port & dolt chescun des ditz keles estre del portage de vint chaldres & solonc mesme le portage la dite custume ent est pris al oepe du Roy sont ore certainz gentz qont fait jatarde tieles keles del portage de xxii. ou xxiii. chaldres dont la custume ad este pris solonc le portage de xx. chaldres tantfoulement en deceite du Roy sicome le Roy lad entendu par compleint en cest parlement Si ad il ad ordeine & establiz encountre tiele deceite qe toutz les keles qore sont & ferront en temps avenir en le dit port soient mesures par certainz commissioners a ceo assigners par le Roy & merches de quell portage y soient devaunt ceo qe aucun cariage soit fait par icelles sur peine de forfaire au Roy toutz les vesselx appelez Keles par les queux aucuns tieux charbons ferront caries devaunt ceo qe ils soient merchez en le manere avaunt dit.

CAP.

CAP. XI.

No English gold shall be received in payment but by the King's weight.

ITEM pur ouster periles & deceites queux longement ont contenuz dedeinz le roialme parmy les lavours tonsours & contrefaitours de la moneie d'Engleterre. a tresgraundes meschiefs & damages a toutz gents de mesme le roialme le Roy par advis & assent de toutz les seignurs & communes assemblez en cest parlement ad ordeinez & establiez qe de la veille del feste de Novel prochain avenir enavaunt null liege du Roy recevra aucune moneie dor Engleis en paiement sinon par le pois du Roy sur ceo ordeines. Et pur tant qe graunde partie del or de present current en paiement nest mye de droiturell pois ne de bone allaie y faute ceo remettre a le cune au fyne qil poet estre novelment cunez de joust pois & bone alleie & ceo serra estre a graunde perde & costages des subditz du Roy si ne suy plect eux relever en ces cas si ad le Roy de sa grace especiale remis & pardonnee a toutz sez lieges qi parentre cy & le dit fest de Novel ferront cuner de novel a le cunage du Roy dedeinz le Toure de Loundres lour monoie dor qe ne soit de joust pois ne de bone allaje cestassavoir tout ceo qi a luy appertient pur cell novell cunage de tiel ore come desuis Salvez a le mestre del mynte & as autres officers dicelle ceo qi a eux appertient resonablement.

ITEM, to avoid the deceitis and perils which long have continued within the realm by wafers, clippers, and counterfeiteris of the money of the realm of England, to the great loss and damage of all the people of the same realm; (2) the King, by the advice and assent of all the lords and commons assembled in this parliament, hath ordained and stablished, That from *Christmas* even next coming, none of the King's liege people shall receive any money of *English* gold in payment but by the King's weight thereupon ordained. (3) *And because a great part of the gold now current in payment is not of rightful weight nor of good alloy; the same* [shall be sent to the coin, to the intent that it shall be newly coined of just weight and of good alloy; and because that] *shall be to the great loss and costs of the King's subjects, unless it please him to relieve them in this case*; (4) our sovereign lord the King, of his special grace, hath remised and pardoned to all his liege people, which betwixt this and the said feast of *Christmas* shall cause to be coined of new at the King's coinage within the *Tower of London*, their money of gold that is not of just weight nor of good alloy, that is to say, all that to him pertaineth for this new coinage of such gold as afore; (5) saving always to the master of the mint, and to other officers of the same, that which to them reasonably pertaineth.

No English gold shall be received in payment but by the King's weight.

The words within Crotches are omitted in the several editions of the statutes published by Pulton, Keble, &c. but are in Rastal and Mr. Cay.

CAP. XII.

Writs purchased by the wardens of Rochester bridge, or against them, shall be good, though some of them die or be removed.

Writs purchased by or against the wardens of Rochester bridge, shall be good, though some of them die, &c.

18 El. c. 17.
27 El. c. 25.

ITEM, it is ordained, That all the writs to be purchased by the wardens of the new bridge of *Rochester*, and their successors, or by other against them to be purchased, shall be maintained and continued by the law of *England*; (2) and although that the said wardens, or any of them, be removed or expelled from their said office, or do die, hanging the said writs, nevertheless the same writs shall stand to be good and effectual in the law for ever.

ITEM ordeinez est & establi qe toutz les briefs par les gardeins de le novell pont de Roucheestre & lours successeurs soient maintenus & susteniez par la ley & combien qe les ditz gardeins ou aucun de eux soit ou soient amovez ou expulsez de leur dit office ou devie ou deviont pendantz les ditz briefs nientmains mesmes les briefs estoient & soient bons & effectuelx en ley pur toutz jours.

Other statutes made at *Westminster*, Anno 9 HEN. V. stat. 2. and *Anno Dom.* 1421.

AT the parliament holden at *Westminster* the first day of December, in the ninth year of the reign of King Henry the Fifth, it is ordained by the assent of the lords spiritual and temporal, and at the request of the commons there assembled, &c.

CAP. I.

A confirmation of all statutes made touching money.

Ex edit. Raft.
Money.
Gold and silver.

FIRST, That all the statutes and ordinances, which have been made in the time of the King's noble progenitors, touching the good and lawful governance of his money of gold and silver, not repealed, be well and firmly kept and holden in all points.

CAP. II.

All men may resort to the King's exchanges, or to the Tower, to have money new coined.

Exchange.
Money.
Coinage,

ITEM, the King, in as much as he conveniently may, shall do to be ordained his exchanges of the money of gold and silver in the city of *London*, and elsewhere in the realm, for the ease of his people, which shall be holden in open places in high streets. And that all they that will come to the *Tower* of *London*, there to have money of new coined, they shall have money coined

coined, and thereof shall be delivered within eight days, according to the very value of that that they shall bring thither, paying the feignorage and coinage of gold, after the rate of five shillings for the pound of the *Tower*, and for the feignorage and coinage of silver fifteen pence for the pound, and no more. And that they that will not approach the *Tower* to do the same, but will be thereof delivered at the exchanges, shall pay for the exchange after the rate of a penny for the noble, and for the half noble a halfpenny, and for the fourth part of the noble a farthing, with the feignorage and coinage, as afore is said.

CAP. III.

At the King's exchanges good money shall be delivered to the parties, or else be that doth receive it may refuse it.

ITEM, That the masters and workers of the money, and also Money. the strangers in all places where money shall be coined, made, or changed, shall be holden to deliver and pay all that that ought to pertain to them for such exchange of good and lawful money of *England*, by and of just weight, or by the number, of the election of him which shall receive the same without any delay of difficulty. And if percase it happen that any notable default in the weight of the money, or in the allay be found (which God defend) upon the delivery or payment to be made at the said *Tower*, or at the exchanges aforesaid, that then it shall be well lawful to every person that shall find such default, to refuse that that is defective before that he depart the place where he the same shall receive. And that the master, or Exchangers, the changers be holden to deliver to him sufficient money for the same, without delay, and to melt that that shall so be found defective.

CAP. IV.

The officers of the exchanges shall bring to the Tower all the gold or silver which they buy or exchange.

ITEM, That they which shall be wardens and surveyors and Exchange. ministers of the exchanges out of the *Tower*, shall be holden Gold and silver. and bounden to bring all the gold and silver that they shall receive by way of exchange, or shall buy by colour of their office, Money. to the *Tower of London*, there to be molten and made in money, in augmentation and increase of the money for the profit of the realm and ease of the people, without being sold, aliened, or put to any other use.

CAP. V.

The mint shall be at Calais.

ITEM, That the King's Mint be coined and made at *Calais*, Mint. in the manner as it hath been made and governed at the *Calais*. *Tower of London*.

CAP. VI.

*The allay and weight of money.*Money.
3 Inst. 92.

ITEM, That all the money of gold and silver that shall be made at the *Tower of London* and at *Calais*, or elsewhere within the realm of *England*, by authority royal, shall be made as of good allay, and good weight, as it is now made at the *Tower*.

CAP. VII.

*The weight of gold shall be sent to every city.*Weight of the
noble, &c.

ITEM, That the King do to be ordained good and just weight of the noble, half noble, and farthing of gold, with the rates necessary to the same for every city, borough, and market town of the realm, to be delivered by the chancellor of *England* to them that will have them, to the intent that they be not deceived by false counterfeiters, and them that use false weight in deceit of the people.

CAP. VIII.

*Inquiry and punishment of falsities of weight.*Justices of
peace.
Sheriffs.
Escheators.
Weights.
34 Ed. 3. c. 5.

ITEM, That the justices of peace, sheriffs, escheators, and other persons to be assigned by the King, shall have power by commission to enquire of all falsifiers and counterfeiters of false weights, and to take them and imprison, and in prison to hold them without mainprise, till they be acquitted or attainted, and if they be attainted, their bodies shall abide in prison till they have made fines and ransoms after the discretion of the said justices. And that the same justices have power thereof to inquire, hear, and determine, as often as to them shall seem necessary.

CAP. IX.

The law of exchange between the merchants of Rome and those of England.

Exchange.

Staple.

Merchants.

ITEM, whereas in another statute, made the fourteenth year of King *Richard* the Second, it was ordained, That for every exchange that shall be made by merchants in the court of *Rome*, or elsewhere, that the merchants be firmly and surely bounden in the chancery, to buy within three months after the exchange made, merchandises of the staple, as wools, leather, woofels, lead or tin, butter, cheese, or cloths, or other commodities of the land, to the value of the sum so exchanged, upon forfeiture of the same: and such merchants said in this present parliament, That they dare not bind themselves to observe the effect of the same statute, because that within three months after such exchanges made, they cannot buy and make shipping to pass such merchandises to the parts beyond the sea (as afore is said) to the value of the sum so changed: and also

for default of such changers there ought to be made such exchange, and by divers colours and subtilties the King's money shall be of great likelihood privily carried to the parts beyond the sea, and such merchandises (as afore) shall not be bought by such merchant changers, to the great damage of the King and of his people and the realm, if in this present parliament remedy be not provided: therefore it is ordained in this present parliament, for the profit of the King and of his realm, That all merchants that shall make such exchanges at the said court of *Rome*, or elsewhere, and every of them, shall be bound personally in the said chancery by recognisance, to buy within nine months after the same exchanges made, like merchandises and commodities as afore is said, to the value of the sums so changed, upon pain of forfeiture of the same, notwithstanding the said statute made the said fourteenth year. And that all the ordinances aforesaid shall endure until the parliament next to be holden.

14 R. 2. c. 2.
11 H. 4. c. 8.

CAP. X.

Collectors of dismes, &c. which be charged in account for their companions, shall have an action of debt against them.

ITEM, whereas divers collectors of dismes and quinzimes Collectors of xv. & x. granted to the King of temporal goods, have been assigned in every county of the realm, and some of them have purposed lawfully to yield their account, and some not, so that when the King's writs have issued to the sheriffs to cause the said collectors to come to the exchequer, there for to account, the honest true men have come in, and brought the rate of their gathering, and the other by brocage and subtilty have absented them, and will not come and pay their rate there, and so the lawful may not be discharged, but wholly charged of the sums which their companions absent ought to have paid, and also oftentimes put in prison, and their lands and tenements seised into the King's hands, till they had payed to the King the rate of the gathering of their companions, to the great mischief and destruction of many of the King's lawful subjects, as the King hath conceived at the grievous complaint of the commons made here, in this present parliament: our said sovereign lord, by the assent of the lords spiritual and temporal, and at the request of the said commons, hath ordained, That the collectors of such dismes and quinzimes, shall have recovery by action of debt against their companions, of the sums which they have so paid, and shall pay for them, with their double damages. And this ordinance shall endure till the parliament, which shall be first holden after the return of the King our sovereign lord into *England*.

C A P. XI.

Certain roads and bridges about Abingdon shall be repaired.

8 H. 6. c. 28.
This statute
is printed on-
ly in Mr. Cay's
edition.

ITEM come monstre fust en cest parlement par la dite communalte par leur commune petition coment le chemyn qi soi extende de la ville de Abendon vers Dorchestre eu le countee dOxenford outre leaue de Thamysse par les lieux de Burford & Culhamford parentre les dites villes de Abendon & Dorchestre parmy les soil & franchises & deinz les boundes & franchises del abbe de Abendon de son manoir de Culham en droit de sa esglise de nostre dame de Abendon par quell les lieges du Roy & de ses progenitours illoeqs passantz ont eux leur cariage & franc passage sibien ove charrettes come ove leur chivalx biens chatieux & merchandises du temps dont memorie ne court fuit jatar par cretein de eaue a tant surunduz qe null purroit illoeqs passer ne tieux cariage sanz peril de perdre leur vies biens chatieux & merchandises illoeqs faire tanqe certeinz gentz du dite ville de Abendon de leur propre biens & dalmoine des gentz la entour enhabitantz ont faitz un pont outre le dite lieu appelle Burford & un autre pont outre le dit lieu appelle Culhamford & eient auxi del assent de dit abbe & son covent enlargetz enhances faitz & reparailez le dit chemyn parentre les lieux & pontes suifditz en laeure ove les fosses de mesme le chemyn de ambedeux parties quatre perches & oept pees entout & eient auxi plantes & fischez sur les ripes des ditz fosses puis profchein a chemyn certains arbres appelez poplers & wyllughes ore cresceantz pur amendement & reparation du dit chemyn as heurs & temps busoignables en temps avenir Sur qoi considerez les grandes aise & profit qe aviendroit a les lieges du Roy parmy ceux ponts & chemyn si qe ils purront continuer del assent des ditz seignurs & a la requeste de la dite communalte ordeignez est & establiz en ceo mesme parlement qe les ditz ponts & passages outre ycelles & auxi le dit chemyn parentre mesmes les ponts de la laeure come dessuis est dit soient & remaignent a teutz jours communes ponts passages & chemyn as queconques illoeqs passantz ou passer voillantz sibien a chival come a pee & en autre manere & ove toutz maners des carriages & qe lise a toutz lieges du Roy les ditz ponts passages chemyn & fosses en la laeure & forme suifditz faire reparailler enhancer de novell edifier & escurer & autres tieux arbres sur les ditz ripes de novell planter & ficher & en les ditz fosses argill marle gravel & terre fower & prendre & de autieux arbres les branches & germmes sibien de ceux queux sont ore illoeqs plantez come de ceux qiloeques ferront plantez as temps busoignables & sefonables couper & prendre pur la reparation des ponts chemyn & passage avaunt dit si sovent come leur plerra par toutz jours sanz impediment ou empeschement de nully aucun title ou interesse qike soit des ditz abbe & covent en le soil de les eaue passages chemyn & fosses avantditz ou en le soil ou leaue en quell les ditz pontz sont ou ferront edifiez en les ditz lieux ou en aucun parcell dicell nient obstantz. Salvé toutfoitz le droit du Roi &

& salvez auxi as ditz abbe & covent & a lour successeurs lour libertees & franchises dedeinz & en les ponts chemyn passes eaues & fosses avantditz sicome ils avoient adevant en les ditz chemyn foil & caue & auxi route la pescherie en leau desoutz lez ditz pontz & en les fosses suisditz perpetuelment.

Thus End the Statutes of King HENRY the Fifth.

Anno primo HENRICI VI.

Statutes made at *Westminster* in the first year of the reign of King HENRY VI. and in the year of our Lord 1422.

AU parlement tenuz a Westm' le Lundy profcheyn devant le fest de Seint Martyn lan de regne du Roy HENRY susme puis le conquest primer mesme le Roy de ladvice & assent des seignurs espiertuelx & temporelx & a les especialx instance & request des communes d'Engleterre esteantz en mesme le parlement fist faire ordiner & establire diverses ordinaunces & estatutz en fourme quen suit.

AT the parliament holden at Westminster the Monday next before the Feast of St. Martin, the first year of the reign of our sovereign lord King Henry the Sixth; the same King, by the advice and assent of the lords spiritual and temporal, and at the special instance and request of the commons of the realm of England, being assembled in this present parliament, hath caused to be ordained and established divers ordinaunces and statutes in the form following.

C A P. I.

The King's council may assign money to be coined in as many places as they will.

EN primes ordeines est pur le profit du Roy & laise de son poeple qe les seignurs de le counsell du Roy pur le temps esteantz purront assigner par auctorite du dit parlement mestres & operers a faire monioie dor & dargent & a tenir les eschaunges de moneie sibien en la citee d'Everwick come en la ville de Bristuit & auxi es tants des lieux come semblera as ditz seignurs bone & necessarie selonc lour bons advis & discretions ascun estatute ou ordinaunce fait au contrarie non obstant.

FIRST it is ordained and established, for the profit of the King, and the ease of his people, That the lords of the King's council for the time being may assign, by authority of the said parliament, masters and workmen to make money of gold and silver, to hold the exchanges of money as well in the city of York as in the town of Bristol, and also in as many places as to the said lords shall seem necessary, according to their good advice and discretion, any statute or ordinance made to the contrary notwithstanding.

C A P.

C A P. II.

All the statutes of purveyors shall be proclaimed in every county four times in the year.

Ex edit. Pult.
Every sheriff
shall proclaim
the statutes of
purveyors in
his bailiwick
four times in
the year.

ITEM, That all the statutes and ordinances made of purveyors and buyers, and not repealed, be kept and executed in all points, and also proclaimed in all counties through the realm by the King's commandment. (2) And that every sheriff of the realm of *England*, after that he hath received the said statutes thereof to make proclamation by such commandment, shall cause them to be proclaimed every year four times through his bailiwick, upon pain to pay to the King at every time that he thereof fails, an hundred shillings. (3) And that upon the same pain every of the said sheriffs shall deliver the said commandment to his successor immediately by indenture to be made betwixt them, whereby he may make like proclamation for the time that he continueth in the said office, for the ease and surety of the people. (4) And that every such successor, after such commandment by him received shall make such proclamations four times in the year, and shall make such deliverance of the said commandment to his successor, as above is said, upon the pain afore said.

20 H. 6. c. 8.
22 Car. 2. c. 24.

C A P. III.

What sort of Irishmen only may come to dwell in England.

All persons
born in Ire-
land shall de-
part out of
the realm, &c.

ITEM, forasmuch as divers manslaughters, murders, rapes, robberies, and other felonies, riots, conventicles, and divers other offences now late have been done in divers counties of the realm of *England*, by people born in the country of *Ireland*, repairing to the town of *Oxford*, and there residing and dwelling under the jurisdiction of the University of *Oxford*, to the great fear of all manner of people in the realm of *England* dwelling thereabout, as by all the commons of the same realm assembled in the said parliament it was grievously complained: (2) our said lord the King by the assent aforesaid, and at the request of the same commons hath ordained and established, that all people born in *Ireland*, shall depart out of the realm within a month after proclamation made of this ordinance, upon pain to lose their goods, and to be imprisoned at the King's will; except graduates in the schools, and men having benefice of holy church in *England*, and men of law in *England*, and those which be inherit in *England*, and those that have father and mother being *English* people, religious persons professed, merchants, burgesses, and other inhabitants within cities or boroughs of good fame, which can find surety of their good bearing, and *Irish* women married to *English* men, and *Irish* men married to *English* women, which be of good fame, (3) and that all these *Irish* people which have benefices or offices in the land of *Ireland* shall abide there upon their benefices and offices, upon pain to lose and forfeit the profits of their benefices and offices, for the defence of the

Irish persons
excepted
which may re-
main in Eng-
land.

the land of *Ireland* aforesaid, according to the ordinance made in the time of King *Henry* the Fifth, the first year of his reign. (4) And that the graduates and beneficed-men shall find surety of their good bearing, and that they take not upon them the principality of any hall or hostel, but to remain amongst the *English* scholars under the principality of others. (5) Moreover, that these scholars of *Ireland* which be no graduates, and be of the King's obedience, shall find surety of their good bearing in the manner as the said graduates should do, in such sort and form as is aforesaid. (6) And that all the scholars of *Ireland*, being now in *England*, which will here dwell, every of them shall bring to the chancellor of *England* for the time being, before the feast of St. *John Baptist* next coming, letters under the seal of the lieutenant or justices of *Ireland*, testifying that they be of the King's obedience. (7) And of them that bring not such letters betwixt this and the said feast of St. *John Baptist*, it shall be done as of rebels to our lord the King. (8) And that from and after the said feast of St. *John*, no person born in *Ireland* shall enter the realm of *England* to dwell in the said university of *Oxford* or of *Cambridge*, or elsewhere within the realm of *England*, unless he bring to the said chancellor of *England* such letters testimonials, upon pain to be punished as a rebel to our lord the King.

H. 5. c. 8.
Irish men shall
be no principals
of any
hall, &c.

An Irish man
shall bring a
testimonial
that he is of
the King's
obedience.

H. 6. c. 2.

CAP. IV.

The master of the mint shall send to the mint to be coined all the gold and silver that shall come to his hands by exchange.

ITEM, though it hath been well ordained in times past, That he that shall be master of the mint shall in no wise hold the King's exchange: nevertheless our sovereign lord the King, by the advice and assent of the lords spiritual and temporal, and at the request of the commons aforesaid, will and granteth: That the master of the mint at the tower of *London*, which now is, and which for the time shall be, may have and hold the King's exchange in the city of *London*, till the parliament next to be holden, so that the same master do to be sent to the mint all that shall come to the exchange in plate or in mass, to be coined from time to time, until the said parliament, taking for the exchange of the noble in the said exchange i. d. ob. only.

Ex edit. Rast.
Master of the
mint.
Exchange.

London.
H. 5. c. 4.
H. 6. c. 12.

CAP. V.

A certain allowance made to those which were retained to serve King HEN. V. in his wars. Provision for the redemption of the jewels mortgaged by King HEN. V.

ITEM, at the supplication of the said lords and captains that be in life, which have indentured with the gracious King *Henry*, father to the King that now is in all his wars, and also the executors of them that be commanded to God, which have indentured with the said King the father made by their petition, delivered in this parliament: the King by the assent of all his lords spiritual and temporal, and also of all the commons being in this

Gains of war.

this parliament, will and granteth, That the thirds and the third of the third of all manner of gains, gained by way of war, pertaining to the said King the father, the day of his death, as well of prisoners taken as of other gains of war, may be deducted and rebated by lawful account in the King's exchequer, for the sums of the wages to them due by the said King the father, according to the effect of the indentures thereof made. Provided always, That if of that which upon the said account found due by the said accountants above the said wages, payment be made by them upon the same account, then the said suppliants, their executors, heirs or landtenants after the said account and gree made, shall be thereof quit and discharged for ever. And moreover the King will and hath ordained of the said assent, That all they, to whom the said King the father hath delivered gages, jewels, and other things, shall be before the King's council before the feast of St. *John Baptist* next coming, with the same things and jewels. And in case they be not satisfied of their duties, or within half a year after the same feast, then they after the said half year shall have all the said jewels and things in peace and without impeachment of the King, paying to the King all that the same jewels and things shall be found of greater value, than that wherefore they were put in gage, unless they be ancient jewels of the crown. And that they and their heirs, landtenants and executors and every of them, shall be of the same jewels and things, which be not ancient jewels of the crown, quit and discharged against the King after the half year for ever.

Gage.

CAP. VI.

The stat. of 9 HEN. V. c. 9. touching security for exchanges to be made by merchants of the court of Rome, revived, and continued till the next parliament.

This statute is printed only in Mr. Cay's edition.

ITEM come bien qe en lestatuit fait lan du regne del Roy RICHARD seconde quatorzisme ordeinez fuit qe pur chescun eschange qe serroit par marchants a la courte de Rome ou aillours les ditz marchants ferroient fermement & seurement liez en la chauncellerie dachater deinz trois mois apres la dit eschaunge fait merchandises de lestaple come lains quirs peaux lanuz & plumbe ou estein bure furmage draps ou autre comoditees de la terre de la value de la somme issint eschangee sur forfaiture dicell nientlemais en le parlement tenuz le premier jour de decembris lan du regne del Roi HENRY quint noevisme pur certains causes declarez en icell ordeinez fuit en le mesme pur profit du Roy & du roialme qe toutz marchants qi delors ferroient autiels eschanges a la courte suisdite ou allours qils & chescun de eux serroit & ferroient obligez personelment en la chauncellerie suisdite par reconissance dachater deinz noef mois apres mesmes les eschanges faitz semblables merchandises & commoditees come dessus est dit a la value de les sommes issint eschanges sur peine de forfaiture dicelles le dit estatuit fait le dit an quatorzisme non obstant & qe celle darrein ordinance dueroit tank au parlement delors

lors proſcheinment a tenir le Roy pur tant qe ſentuz furent les ditz cauſes iſſint declarez en le dit parlement tenuz le dit an noeuſime reſonables & auxi qe meſme lordinance fuit terminee & expirez par le commencement de ceſt darrain parlement ad ordeinez en ceſt darrain parlement qe toutz les merchantz qi ferroient autielx eſchanges a la dite courte de Rome ou aillours qils & cheſcun de eux ſoient & ſoit obligez perſonellement en la chauncellerie du Roy par reconiſſance dachater dedeinz noef mois apres tielx eſchanges faitz ſemblables merchandiſes & commoditees come auant eſt dit a la value de les ſommes iſſint eſchaunges ſur peine de forfaiture dicelles non obſtant de lit eſtatuit fait le dit an quatorſime et qe ceſt preſent ordinance durera tanqe au parlement proſcheinment a tenir.

Statutes made at *Westminster*, Anno 2 HEN. VI.
and *Anno Dom.* 1423.

HENRICUS Dei gratia Rex Anglie & Francie & Dominus Hibernie vicecomiti Middleſexie ſalutem. Quedam ſtatuta & ordinationes in ultimo parlamento noſtro edita tibi mittimus in forma patenti mandantes quod ſtatuta & ordinationes illa in locis infra ballivam tuam ubi magis expediens fuerit publice ex parte noſtra proclamari & ea quantum in te eſt armerito obſervari facias juxta tenorem eorundem.

T. meipſo apud Weſtm' primo die Julij anno regni noſtri ſecundo.

AU parlement tenuz a Weſtm' le xx jour d'Oſtober lan du regne del Roy HENRY le ſime puis le conqueſt ſecond par avys & aſſent des ſeignurs eſpirituelx & temporelx & a les eſpeciales inſtances & requeſt des communes d'Engleterre en meſme le parlement eſteantz certainz ordinances declarations & eſtatutz furent faitz & eſtabliez al honour de Dieu & pur le bien du Roy & de ſon dit roialme en la forme enſuivant.

AT the parliament holden at Westminster the twentieth day of October, in the ſecond year of the reign of King Henry the Sixth after the conqueſt, by the advice and aſſent of the lords ſpiritual and temporal, and at the ſpecial inſtance and requeſt of the commons of England being in the ſame parliament, certain ordinances, declarations, and ſtatutes were made and ſtabliſhed to the honour of GOD, and for the wealth of the King and of his realm, in the form following.

C A P. I.

A confirmation of the liberties of the church, and of all perſons, cities, &c.

EN primes qe ſainte eſgliſe & toutz les ſeignurs eſpirituelx & temporelx & toutz les autres lieges du Roy aiantz libertees & franchiſes & auxi toutz les citees & burghs aient & enjoient toutz lour libertees & fraunchiſes

FIRST, That holy church, The liberties and all the lords ſpiritual of the church and temporal, and all other and of all cities and boroughs the King's people, having liberties and franchiſes, and alſo all ſubſcribed. the cities and boroughs, ſhall have and enjoy all their liberties

ties and franchises well used,
and not repealed, nor by the
common law repealable.

franchises bien usez & nient
repellez ne par la commune ley
repellablez.

CAP. II.

*A remedy for the master, &c. of the hospital of St. Leonard
in York, to recover a thrave of corn due to them, &c.*

The hospital
of St. Leonard
in York was
endowed of a
thrave of corn
of every
plough earing
within the
counties of
York, Cum-
berland, West-
morland, and
Lancaster.

ITEM, whereas the hospital of St. Leonard of York, which is of the foundation of the progenitors of our said lord the King, late Kings of England, and of his patronage, in the first foundation of the same, was endowed, by the said progenitors of the King, of a thrave of corn to be taken yearly of every plough earing within the counties of York, Cumberland, Westmorland, and Lancaster, within the county of York, of which thraves the master and brethren of the said hospital, and their predecessors have been seised, the time whereof runneth no memory, as parcel of the first foundation of the said hospital, and the same they have leased and gathered at the feast of St. Martin in winter every year, till now late that divers people of the said counties, within the province aforesaid, have withholden the same thraves, whereof the said master and brethren have no sufficient nor covenable remedy at the common law, to the great damage of the said hospital, and open subtraction of the sustenance of the said master and brethren, if remedy be not for them provided, as complaint was thereof made in the said parliament :

The remedy
which the
masters of St.
Leonard's
hospital shall
have to reco-
ver their du-
ties.

(2) The King considering the premises, of the assent and request aforesaid, hath ordained and stablished, That the said master and brethren, and their successors for the time being, may levy, gather, and take the said thraves within the province aforesaid, in the places where they

ITEM come l'ospital de seint Leonard d'Everwyk qi est de la fundacion de les nobles progenitours nostre dit seigneur le Roy jadis Roys d'Engleterre & de son patronage. en la premiere fundacion dicell estoit endowe par les ditz progenitours du Roy dun thrave des blees a prendre annuellement de chescun charue arant deinz les countees d'Everwyk Cumberland Westmerl' & Lancastre deinz la province d'Everwyk des quels thraves les maistre & frers du dit hospitall & leur predecesseurs ount este seisez du temps dount memorie ne court come pareell de la primer fundacion du dit hospitall & icelles ount pris levez & coillez al fest de seint Martyn en yver chescun an tance ore tarde qe diverses gentz dez ditz countees deinz la province suisdite mesmes les thraves ount detenuz dount les ditz maistre & frers nount remede suffiscant ne covenable a la commune ley a graunt anientement du dit hospitall & overt subtraction del sustenance des ditz maistre & frers si lour ne soit purveu de remede come de ceo fuit compleint au le dit parlement le Roy consicere les premisses del assent & requeste avaunt ditz ad ordeinez & establiez qe les ditz maistre & frers & leur successours pur le temps esteantz puissent lever coiller & prendre les ditz thraves deinz le province suisdite en les lieux ou il devent de droit

droit & soloient solonc la custume & usage en mesmes les lieux enz pardevant. Et auxi qe mesme le meistre & ses successeurs pur le temps esteantz aient de temps en temps action par brieves ou pleintz de dette ou de detenu a lour plesir envers toutz ceuz & chescun de eux qi mesmes les thraves ensi de droht au dit hospitall duez detiegnent ou ascun partie d'icell pur recoverer devers eux & chescun deux les ditz thraves avec lour damages enz cell partie.

Purveu toutz soitz qe les parties avec queux les ditz meistre & frers ou lour predeceffours sont accordez pur tielx thraves par compositions entre eux faitz & ensealez ne soient chargez de plus qe nest compris en mesmes les compositions pur les possessions qe les ditz parties avoient al temps del sesance des compositions avaunt ditz.

they ought of right, and were wont, after the custom and usage had in the same places heretofore. (3) And also that the same masters and successors for the time being shall from time to time have actions by writs or complaints of debt or detinue at their pleasure, against all them and every of them that detain the same thraves so of right due to the said hospital, or any part of them, to recover the said thraves against them, and every of them, with their damages in this behalf.

II. Provided always, That the parties with whom the said master and brethren, or their predecessors, be accorded for such thraves by compositions made and sealed betwixt them, shall of no more be charged than is comprised within the same compositions for the possessions that the said parties had at the time of the making of the aforesaid compositions.

A remedy for the proprietors which have compounded with the master and brethren.

C A P. III.

John duke of Bedford, being in the King's service in France, shall be received to defend his right by attorney.

ITEM, it is ordained and assented, That *John duke of Bedford*, Ex edit. Rast. uncle to our sovereign lord the King, which is beyond the sea in the parts of *France* in the King's service, in all manner of pleas moved and to be moved against any person or persons of lands and tenements, the reversion or remainder whereof is to the said duke joint or several to his own use, he shall be by his attorney or attorneys received to defend his right. And in the same manner shall have and enjoy all manner benefits and advantages, as if he were present in his proper person. And that this ordinance extend as well to receipts of reversions and remainders, to be purchased and gotten to the said duke jointly or severally to his own use, as to receipts of reversions and remainders, which he now hath, as long as he shall be in the King's service beyond the sea.

CAP. IV.

All merchandises of the staple passing out of England, Wales, and Ireland, shall be carried to Calais, so long as the staple is at Calais.

Staple.

Calais.

Berwick.

**Merchandise
of the staple.**

Shotten tin.

ITEM, whereas the noble King *Edward* the Third did ordain his staple to be at *Calais*, and that the whole repair of wools, woolfels, leather, lead, tin, butter, cheese, and other merchandise, except woolen cloths, and red herring passing out of the realm of *England*, and his lands of *Wales* and *Ireland*, and his town of *Berwick* upon *Tweed*, should be at the said town of *Calais*. And after at a parliament holden in the first year of King *Henry* the Fourth it was ordained, That the staple of wools, woolfels, leather, lead, and tin, should be wholly at *Calais*: saving that merchants of *Genoa*, *Venice*, *Catalonia*, *Arragon*, and other realms, lands and countries, towards the west, being of the King's amity, may ship at *Hampton* in carracks, ships, galleys, and other vessels, wools, woolfels, leather, lead, tin, and other merchandise of the staple, and bring them into their country towards the west, after the form of the statute thereof made in the second year of King *Richard* the Second after the conquest. And also saving to the burgeses and merchants of *Berwick* upon *Tweed* certain benefits to bring the wools of the growing between the waters of *Tweed* and *Cocket*, to the said place of *Berwick*, and to ship them towards what parts it shall please them beyond the sea. And also whereas the said statutes in the parliament holden at *Westminster* in the second year of the reign of King *Henry* the Fifth, father to our sovereign lord the King that now is, were confirmed, and moreover it was ordained in the same parliament, That no wools, woolfels, leather, lead, tin, whole or founded, called shotten tin, nor none other merchandise of the staple whatsoever it were, should from henceforth be sent or brought to any parts beyond the sea, except they were first carried to the said staple, after the form of the said ordinance made the said first year, upon pain of forfeiture of all the merchandises in such manner sent or brought out of the said realm, unless it be by the King's licence. And except all persons, goods, and things which be excepted in the same ordinance, made the first year, as in the said statutes is more fully contained. Nevertheless, the leather, and founded tin, called shotten tin, bought and provided here in *England*, have not been brought to the said staple of *Calais*, after the form of the said statutes, but doth pass into *Flanders*, *Holland* and *Zealand*, to the great damage and diminishing of the customs and subsidies due to the King, if they were brought to the town of *Calais*. The King willing to eschew the damage and diminution, by the advice and request aforesaid hath ordained and established, That all the statutes thereof made and not repealed, be holden and kept, and put in due execution. And that the whole repair of wools, woolfels, leather, lead, whole tin, and shotten tin, and all other
mer-

merchandises pertaining to the staple, passing out of the realm of *England*, and of the countries of *Wales* and *Ireland*, be at the said place of *Calais*, and at none other place beyond the sea, as long as the said staple shall be at *Calais*, upon pain of forfeiture of the very value of the merchandises, which shall pass elsewhere but to the parts towards the west, named in the said statutes thereof made. And that no licence from henceforth be granted to the contrary: except for wools, fells, and leather of *North-umberland*, *Westmoreland*, *Cumberland*, and the bishoprick of *Durham*, saving the King's prerogative. Provided always, That if any merchants under colour of any licence ship any wools of the growing of any part of *Yorkshire*, or of any other country of the realm, except of the growing of the same parts of *North-umberland*, *Westmoreland*, *Cumberland*, and the bishoprick of *Durham*, they shall forfeit to the King the value of all the wools so shipped, and also they shall lose the benefit of the same licence. And he that the same espieth, and thereof giveth knowledge to the treasurer of *England* for the time being, shall have the fourth part of the forfeiture so by him notified. Merchants.

CAP. V.

The penalty if any carry wools or fells not customed out of the realm to any place, saving to Calais.

ITEM, because that a new shipping is found in the pille of *Foddray* in the county of *Lancaster*, out of which pille and other creeks within the realm much wools be brought to *Ernemouth* in *Zealand*, and to many other places beyond the sea, without custom or subsidy thereof duly paying to the King, and the merchants come to *Dublin* in *Ireland*, and there take their cockets, and pay for every stone of wool to their proper use ij. d. as the King hath been thereof credibly informed in the said parliament, to the King's great deceit and fraud: it is ordained and established, That if any person bring or cause to be brought any wools or woolfels not customed out of the realm to other places than to the said staple, he shall forfeit to the King the value of the merchandises so shipped, and his body to prison, till he hath made and paid a fine and ransom. And that he that thereof giveth knowledge to the treasurer of *England* for the time being, and the trespasser for the same duly convict, shall have the fourth part of the forfeiture due to the King in this behalf. Custom. Staple.

CAP. VI.

For what causes only gold or silver may be carried out of the realm.

ITEM come par le Roy Henry le quint pier a nostre seigneur le Roy qorest estoit ordeignez qe un mynt dor & dargent seroit tenuz dedeins la ville de Caleys par la quell graunde substance de monoie dor & Vql. III. dargent

ITEM, whereas by King Henry the Fifth, father to our lord the King that now is, it was ordained, That a mint of gold and silver should be holden within the town of *Calais*, whereby great substance of money of gold and silver A confirmati- on of the statute of 9 H. 5. c. 6. that the mint shall be at *Calais*.

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ver bath been brought within the realm, (2) which money by divers persons bath been, and is daily, carried out of the same to Bourdeaux, Flanders, and other places, against the statute in old times made and provided in this behalf, as bath been grievously complained in this parliament; (3) it is ordained and assented, That the same statute be holden and kept, and put in due execution. (4) And moreover it is ordained and establiſhed, That no gold nor silver shall be carried out of the realm contrary to the said statute, unless it be for payment of wars, and the King's soldiers beyond the sea, upon pain of forfeiture of the value of the sum of money so carried out of the realm, to be levied of him that shall bring, carry, or send it out of the same realm: (5) and that he which espieth it, and thereof giveth knowledge to the council, or to the treasurer of England, shall have the fourth part of the forfeiture so due to the King, (6) except the ransoms for fines of English prisoners taken and to be taken beyond the sea, and the money that the soldiers shall carry with them for their reasonable costs, (7) and also for horses, oxen, sheep, and other things bought in Scotland, to be sent and carried to the parties adjoining; (8) so that the money to be sent for the fines of the said prisoners, or to be carried by the said soldiers to the parties beyond the sea, be not done without the King's special licence, (9) And because it is supposed that the money of gold of the realm is carried out of the same by merchants aliens, it is ordained and establiſhed, That the

dargent ad este apportez deinz le roialme la quelle monnoie par diverses perſones ad este & est de jour en autre asportez hors dicell a Burdeaux & Flaundres & aillours encontre lestatut fait & purveux celle partie dauncienne temps come de ceo ad este grevousment compleint en cest parlement ordinez est & assentuz qe mesme lestatut soit tenuz & gardez & mys en due execution. Et en outre ordinez est & establez qe null or ou argent soit asportez hors du roialme au contrarie du dit estatut sil ne soit pur paiement des guerres & soudeours du Roy de pardela sur paine de forfaiture de la value de la somme del monnoie qenſi soit apportez hors de roialme destre levee de celui qi la mesnera asportera ou enoiera hors dicell & qe celluy qi lespiera & ferra ent notice au conseil ou au tresorer dEngleterre avera la quart partie de la forfaiture ensy duez au Roy forſpris les raunceons pur finaunce des prisoners Englois prisez & apprendres de pardela & la monnoie qe les soudeours emporteront avec eux pur leur resonables costages & auxi pur chivalx boefs berbeis & autres choses achatez en Escoce apporterez ou amesnerez as parties adjoiningz issint qe la monnoie a envoier pur finance des ditz prisoners ou a emporter par les ditz soudeours as parties de pardela ne soit fait sanz especial licence du Roy. Et pur ceo qil est supposez qe la monnoie & lor du roialme est asportez hors dicell par marchauntz aliens ordeinez est & establiez qe les merchantz aliens trouvent seurtee en la chauncerie chescune compaignie pur ceux de

No gold or silver shall be carried forth of the realm, but for the causes herein excepted.

9 Ed. 3. stat. 2.

c. 1.

5 R. 2. stat. 1.

c. 2.

2 H. 4. c. 5.

17 Ed. 4. c. 1.

Merchants aliens shall be bound to carry no gold out of the realm.

sa compaignie qe null deux nemesnera hors du roialme null or nargent contre la forme du dit estatut sur la peine de forfaiture dicell or ou argent ou de la value dicell & si aucun de eux face le contrarie & ceo duement provez & celuy ensy fesaunt soit alez outre le mcer adonques les plegges de la compaignie paierount au Roy la forfaiture fuisdite dont celly qi lavera espiez & le done a conuistre au tresorer ou a conseil du Roy avera la quart partie come desuis.

the merchants aliens shall find surety in the chancery, every company for them of their company, that none of them shall carry out of the realm any gold or silver against the form of the said statute, upon pain of forfeiture of the same gold or silver, or the value of the same; (10) and if any of them do the contrary, and that duly proved, and he so doing be gone over the sea, then the pledges of his company shall pay to the King the said forfeiture, whereof he that shall espy it, and thereof give notice

to the treasurer, or to the King's council, shall have the fourth part as is aforesaid.

C A P. VII.

The penalty of a cordwainer using the mystery of a tanner.

ITEM, because that the leather tanned by cordwainers, using the mystery of tanners, and also much of the leather tanned by the tanners, is so deceitfully tanned, that the boots, shoes, and other necessities thereof made, be in a small season wasted and destroyed, because of the evil tanning of the said leather, to the great deceit and loss of the commonalty of the realm: it is ordained and established, That if any cordwainer dwelling in the realm of *England*, use the mystery of tanner, during the time that he useth the mystery of cordwainer, that he shall forfeit to the King for every hide by him, or by any other to his use tanned vi. s. viii. d. And that if the cordwainers find any notorious default in the leather, tanned by the said tanners, or to be tanned, that the tanner of the same leather so defective, shall forfeit to the King in the same manner for every hide so defective vi. s. viii. d. And that he that will sue shall have the one half for his labour, and the King the other half. And that the justices of the one bench and of the other, justices of assises, justices of peace, the justices of *Chester* and *Lancaster*, and mayors of cities and boroughs, having power as justices of peace, shall have power to enquire, hear and determine the articles and matters aforesaid, as well at the King's suit, as the parties, or to attain them by examination, as well at the suit of the King as of the party, by the discretion of the justices and mayors aforesaid. And that this ordinance and statute begin to hold place and be put in execution at the feast of *Christmas* next coming.

Ex edit. Rast.
Cordwainers.
Tanners.

Leather.

Justices of
peace.

Rep. 5 Eliz.
c. 8. & 1 Jac. 1.
c. 22.

C A P. VIII.

Irishmen resorting into the realm, shall put in surety for their good abearing.

Ex edit. Pult.
1 H. 6. c. 3.

ITEM, whereas it is ordained in the last parliament amongst other things, That all people born in *Ireland*, shall depart out of the realm within a month next after proclamation made of the said ordinance, upon pain to lose their goods, and to be imprisoned at the King's will, except certain persons in the same ordinance excepted, (2) and that the graduates and benefited-men should find surety of their good abearing, that they should not take upon them the principality of any hall or hostel, but to remain amongst other *English* scholars under the principality of other, (3) and also those scholars of *Ireland* that be not graduates, and be of the King's obeisance, shall find surety of their good abearing in the manner as the said graduates shall do in the form aforesaid. (4) And that all the scholars of *Ireland* being elsewhere in *England*, that will here abide, shall bring every of them by himself to the chancellor of *England* for the time being, before the feast of St. *John Baptist* last past, letters under the seal of the lieutenant or justices of *Ireland*, witnessing that they be of the King's obeisance. (5) And that all of them that bring not those letters before the feast of St. *John*, it shall be done as of rebels to the King. (6) And from this feast of St. *John* forward, no person born in *Ireland*, shall enter the realm of *England* to abide in the university of *Oxford* or *Cambridge*, or elsewhere within the realm of *England*, unless he bring to the said chancellor such letters testimonial, upon pain to be punished as rebels to the King.

Who shall take
sureties of
Irishmen that
will resort in-
to the realm
according to
the statute of
1 H. 6. c. 3.

II. And forasmuch as in the said ordinance no mention was made, before whom nor in what manner the surety of good abearing as before, shall be found: it is ordained and established, That the chancellors of the universities of *Oxford* and *Cambridge* for the time being, every of them within his jurisdiction, shall take the sureties to be taken of scholars within the same universities, and certify the same into the King's chancery. (2) And that the justices of peace within the counties, and mayors and bailiffs within cities and boroughs enfranchised, have power to take before them such manner of surety of good abearing, and to do execution upon them which shall abide, or do against the said ordinance from henceforth.

C A P. IX.

The money called blanks shall be wholly put out.

The money
called blanks
shall be wholly
put out.

ITEM, it is ordained, That proclamation be made through all the counties of *England* within franchises and without, and within cities, towns, boroughs, and elsewhere, that all the money called blanks shall be wholly out and voided out of the realm before the feast of St. *John Baptist* next coming. And moreover that no man after the said feast pay or receive for pay-
ment

ment in any manner within the said realm, the said money called blanks, upon the pain contained and ordained by a statute made the third year of King *Henry*, father to our lord the King, against all that pay or receive for payment the money called gally halfpence, fustkin, and dotkins within the realm.

3 Inst. 92.
St. 3. H. 5. c. 1.

A penalty on deceitful workers of gold and silver embroidery.

ITEM pur ceo qe diverses defautes sont trovez en loveraigne de diverses persons occupiantz le mistier de brouderie ordeinez est & assentuz qe tout loveraigne & stuff de brouderie dor ou dargent de cipe ou dor de Luke mellee avec laton de Spayne & mys a vent en deceit des lieges du Roy soit forfait au Roy ou as seignurs & autres aiantz fraunchises dautielx forsaiteurs ein quy franchise autiel overaigne soit trovee. Et durera cest ordinance tanqe al parlement procheinment avenir.

These articles
are printed
only in Mr.
Cay's edition.

Concerning the reversal of outlawries pronounced against persons whilst abroad in the King's service.

ITEM ordeinez est & assentuz qe si aucun utlagarie sur aucun homme esteant hors du roialme en le service de Roy avec luy mesmes ou desoubz aucun capitain soit pronuncie & sur ceo le Roy ou le capitain morege devant qe tielz utlagaries soient reversez & la partie qe pursue de reverser aucune tiel utlagarie a cause susdit voet allegger son capitain destre mort qe adoncs fa democure al temps des ditz utlagaries soit certifiez par les executeurs ou ministrours des tielx capitains ou clerkes de leurs monstres ou aucun autre notable persone solonc la discretion des justices en mesme la manere come le capitain ceo deust avoir certifiez sil feusse en vie purveux toutfoitz qe laverrement soit receu pur nostre seigneur le Roy qe le capitain est en plein vie & auxi qe la partie feust en Engleterre en temps de tielx utlagaries pronunciez si avant come ad este fait devant ces heurs en cas qe le capitain fust en plein vie. Et durera cest ordenance tanqe al parlement procheinment avenir.

The justices shall inquire into and remove certain nuisances on the Thames.

ITEM pur ceo qe deu serche & correction nest pas fait en leawe de Thamise dehors les boundes de la fraunchise de Loundres en les countes de Surr' Kent & Essex plousours meschies ore tarde ount estee faitz de destruction des gentz niefs & merchandises & frie de pesson par les weres kydelles & trunks la esteantz noesantz ordeinez est & assentuz qe severalx commissions soient faitz as justices de pees des ditz countez pur le temps esteantz denquerer des tieux noisantz dehors la dite fraunchise de Londres si sovent come bosoigne soit & de certifier de temps en temps en le bank le Roy ceo qent serra trovee par les inquisitions ensi affairs & facent les justices de dit banke sur les ditz certifications autielx processés envers eux qensi serront trovez trespassours come leur meulx semblera par la ley & facent eux remoever leur anoesantz ensy faitz salvez a chekcon son droit & tittle en les weres kydelx & trynkes avaunt ditz. En durera celle Poſt, c. 15. ordinaunce tanqe al parlement procheinment avenir.

CAP. X

What manner of inferior officers shall be appointed in the King's courts.

What manner of inferior officers shall be appointed in the King's courts by superior officers.

ITEM, to the intent that better and more sure government be had within the courts of our lord the King, for his profit, and ease of his people, which have to pursue and to do in the same; it is ordained and stablished, That all the officers made by the King's letters patents royal within the said courts, which have power and authority, by virtue of their offices of old times accustomed, to appoint clerks and ministers within the same courts, shall be charged and sworn to appoint such clerks and ministers, for whom they will answer at their peril, which be sufficient, faithful, and attending to that which pertaineth to them in performance of the business, as well of the King as of his people.

4 Inst. 114.

CAP. XI.

The several measures of vessels of wine, eels, herrings, and salmons.

ITEM, whereas in old time it was ordained and lawfully used, That tuns, pipes, tertians, hogsheds of Gascoigne wine, barrels of herring and of eels, and butts of salmon, coming by way of merchandise into this land out of strange countries, and also made in the same land, should be of certain measure; that is to say, The tun of wine CC lii. gallons, the pipe C xxvi. gallons, the tertian lxxxiv. gallons, the hoghead lxiii. gallons, the barrel of herring and of eels xxx. gallons fully packed, the butt of salmon lxxxiv. gallons fully packed; nevertheless, by device and subtilty now late such vessels have been of much less measure, to the great deceit and loss of

ITEM al entent qe le pluis bone & seure governaunce soit euz dedeins les courtes nostre seignur le Roy a son profit & al ease de son poeple qont a pursuer & affaire en ycelles ordeinez est & establiz qe toutz les officers faitz par lettres patentz roialx deins les dirz courtes qont poiar & auctorite par vertue de lour office dauncien temps accoustumes de faire clerks & ministres deins mesmes les courtes soient chargaz & jurrez de faire tielx clerks & ministres pur qels ils voillent respondre a lour perill qi soient sufficeantz foialx & entendantz a ceo qe a eux appartient au esloit sibien de les bosoignes du Roy come de son poeple.

ITEM combien qen aucien temps fust ordeinez & loialement usez qe toneux pipes tercians hogghedhes de vyn de Gascoigne banelles de harank & danguilles & buttes de samon veignant par voie de merchandise en cest terre hors des estrangez pais & auxi faitz en mesme la terre serroient de certain mesure cestassavoir le tonell de vyn de $\frac{xx}{3}$ & xii galons le pipe de $\frac{xx}{3}$ & vi galons la tertian de $\frac{xx}{3}$ & liii galons le hogghede de lxiii galons le barell de harank & danguilles de xxx galons pleinement pakkez le butte de samon de $\frac{xx}{3}$ & liii galons pleinement pakkez nientlemains par ymagination & subtilite

tilite ount jatarde este faitz
 tieux vesseux de pluis petite
 mesure a grande perde & de-
 sceit au Roy & de son poeple
 dount en ceste parlement fuist
 priez especialment de remedie
 Si est ordeinez & establez qe
 null homme apres le fyn de xii
 moys le fest de Pasque profchein
 avenir profcheinement ensu-
 antz aporte en le royaume
 dEngleterre de quel pais qe ceo
 soit ne face deins mesme le roy-
 alme tonell de vyn fil ne con-
 teigne dell mesure dEngleterre
^{xx} & xij galons le pipe ^{xx}, vj gal-
 ons & ensy solonc lasserant
 le tercian & le hoggeshede de
 vyn de Gascoigne sur peine de
 forfaiture de mesme le vyn ne
 barrel de harank ne danguilles
 fils ne conteignent xxx galons
 pleinement pakkez ne butte de
 salmon fil ne conteigne ^{xx} & iiij
 galons pleinement pakkez ne
 kynderkyns tercians & ferde-
 kyngs de harank ne danguilles
 ne de samon forsque solonc las-
 seraunt pleinement pakkez puis
 le fest de Nativitee de Saint
 Johan le Baptiste profchein a-
 venir sur peyne de forfaiture de
 les harank anguilles & samon
 avaunt ditz ensy apportez ou
 faitz au contrarie de cest ordi-
 nance en quell citee burgh &
 ville du royaume ou en aucune
 partie dEngleterre qe tieux de-
 fautes soient trovez au seignur
 de mesme la ville & qe celluy q
 vbet suer & prover les ditz de-
 fautz avera la quart partie de
 mesme la forfaiture. Et qe les
 justices du pees en toutz les
 countes dEngleterre mairs &
 bailifs aiantz poair denquerer
 de peax enquergeroient & ter-
 minent toutz iceux defautz. Et
 qe cest ordeignance soit extende
 & eit force sibien dedeins le
 countee de Cestre come aillours.

*of the King and of his people,
 whereof special remedy was prayed
 in the parliament ; (2) it is or-*
 dained and stablished, That no
 man, after the end of twelve
 months from the feast of *Easter*
 next coming, shall bring into
 the realm of *England*, from what
 country soever it be, nor make
 within the same realm, a tun
 of wine, except it contain of
 the *English* measure CClii. gal-
 lons, the pipe Cxxvi. gallons,
 and so after the rate the tertian
 and the hogsthead of *Gascoign*
 wine, upon pain of forfeiture
 of the same wine ; (3) nor
 barrel of herring, nor of eels,
 unless they contain xxx. gal-
 lons fully packed ; nor butt of
 salmon, unless it contain lxxxiv.
 gallons fully packed ; nor kin-
 darkins, tertians, and firkins of
 herring, nor of eels, nor of
 salmon, but after the rate fully
 packed, after the feast of the
 Nativity of St. *John the Baptist*
 next coming, upon pain of for-
 feiture of the said herring,
 eels, and salmon, so brought
 or made contrary to this ordi-
 nance, in what city, borough,
 and town of the realm, or in
 any part of *England*, that such
 defaults be found, to the lord
 of the same town ; (4) and
 that he which will sue and prove
 the said defaults, shall have the
 fourth part of the same forfei-
 ture. (5) And the justices of
 peace in all the counties of
England, and mayors and bai-
 liffs, having power to inquire
 of the peace, shall inquire,
 hear, and determine all the
 same defaults. (6) And that
 this ordinance extend and have
 strength, as well within the
 county of *Chester*, as elsewhere.

The measure
 of a tun, &c.
 of wine, and
 of a barrel of
 eels, herrings,
 and salmons.

18 H. 6. c. 17.
 1 R. 3. c. 13.
 28 H. 8. c. 14.

C A P. XII.

The office and duty of the King's assayer, controullour, and master of the mint.

The master of the mint shall keep his allay in making of white money.

ITEM to the intent that the more bullion may be brought to the mint, and the greater plenty of white money be made and current within the realm, for the ease and profit of the commonalty of the same, it is ordained and stablished, That the master of the mint shall keep his allay in the making of white money according to the form of his indenture; (2) and that the same master receive of every person, that shall bring any silver to the mint, the same money at the true value as it is worth according to the same allay, upon pain to pay to the party his double damages. (3) And also to the intent that this ordinance may the better and more justly be observed, it is ordained, That the King's assayer, which is a person indifferent betwixt the master of the mint and the merchant, and also the controuller of the mint, shall be present when any such bullion of silver is brought to the mint, to the intent that the said assayer may rightfully set the value of the same according to the law, in case of variance betwixt the master and the merchant; and the controuller to controul as well silver that is brought to the said mint, as carried out of the same, every two days faithfully and indifferently to do their duty, without taking any reward other than the fee which they shall take of the King, upon pain to yield double damages, as afore is said; (4) and that the

The office and duty of the King's assayer of the mint.

ITEM a l'entent qe le plus greindre bullion puisse estre apporte a le mynte & le greindre plante de blank money estre faitz & current deinz le roialme pur le aise & profit du communalte dicelle ordeinez est & establiz qe le maistre del mynt garde son allai en la fessance de la blank monioie solonc la forme de sa indenture et qe mesme le meistre reseive de chescun homme qi portera aucun argent a la mynt mesme l'argent a la verroie value come il vaut solonc mesme lallai sur peine de paier le double damage a la partie. Et auxi al'entent qe cest ordeignance puisse le meulx & plus ioustement estre gardez ordeinez est qe lassaieur du Roy qi est persone indifferent parentre le maistre del mynt & le merchant & auxi le countrollour del mynt soient presentez qant aucun tiel bullion d'argent soit porte a le mynte a l'entent qe le dit assaiour puis doitement mettre le value dicell solonc lallai en cas del variaunce parentre le maistre et le merchant et le countrollour a countrouiller si bien l'argent qest apportez en la dit mynt come asportez hors dicell chescun deux jurrez de faire soialment & endefferement lour devoir sanz aucun regarde prendre autre qe le fee qils preignent du Roy sur la peine de paier double damage com defuis et qe ceux assaiour & countrollour soient vaillaintz crediblez & expertz persones aiantz notoier science en le mistier d'assaiour & de mynt,

mynt. Et auxi qe le maistre del mynt ne le changeour pur le temps esteant vende ne face vendre ne aliene a null autre oeps forsqe a le coigne null maner dor ne dargent overe ou nient overee coignee ou nient coignee ou bullion qest portez a la mynt ou a leschange mes icell applie toutfoulment a le monie solonc la forme de l'indenture avantdite sur la peine contenuz en mesme l'indenture. Et qe mesme le maistre del mynt face feire de temps en temps demy nobles serlynges dor grosses demy grosses deniers males & serlynges pur le aise du poeple solonc le tenour del dite indenture fait parentre le Roy & luy sur la peine contenuz en ycell isint qe le comune poeple puis avoir recours a leschange pur petit or & blanke monoie come ils resonablement besoigneront.

the assayer and controller be credible, substantial, and expert men, having perfect knowledge in the mystery of goldsmiths, and of the mint. (5) And also that neither the master of the mint, nor the exchanger for the time being, sell, nor cause to be sold, nor aliene to any other use but to the coin, no manner of gold nor of silver wrought or unwrought, coined or not coined, or bullion which is brought to the mint, or to the exchange, but apply the same only to the money, according to the form of the said indenture, upon the pain contained in the same indenture: (6) And that the same master of the mint cause to be stricken, from time to time, half-nobles, farthings of gold, groats, half-groats, pence, half-pence, and farthings, for the ease of the people, according to the tenor of the indenture

The office of the controller of the mint. The master of the mint shall convert into coin all the gold and silver which he shall receive. The master of the mint shall make small money.

ture made betwixt the King and him, upon the pain contained in the same, so that the common people may have recourse to the exchange for small gold and white money, as they reasonably shall need.

C A P. XIII.

The price of a pound of silver in plate, piece, or mass.

ITEM, forasmuch as great scarcity of white money is within the realm, because that silver is bought and sold not coined, at the price of xxxij. s. the pound of Troy, whereas the same pound is no more of value at the coin than xxxij. s. (abated for the coinage twelve pence) it is ordained and established, for the increase of white money, That no man, of what estate or condition that he be within the realm, shall buy or sell no silver in plate, piece, or in masse, being as good of alloy as the sterling, above thirty shillings the pound of Troy, over the fashion, upon the pain of forfeiture of the double value of as much as he buyeth or selleth contrary to this ordinance. And that the one half be forfeited to the King's use, and the other half to the use of him that will sue and prove the same forfeiture. Pro-
vided always, That they which go to the coin, may have and
take of the master of the same coin, according as is lawfully
contained in the indentures thereof made betwixt the King
and him. And also the master of the said mint, for the time
being,

Ex edit. Rast.
Money.
Silver.

Master of the
mint.

Rep. 21 Jac. 1.
c. 28.

being, may take and deliver as is contained in the said indentures without taking more for the ease and profit of the common people,

CAP. XIV.

The fineness of hardness of silver, and the marks with which it shall be marked.

None shall sell any work of silver, unless it be as fine as the sterling :

nor until it be touched, and marked with the goldsmith's known mark.

The penalty on the keeper of the touch, who toucheth any vessel not sufficient in alloy.

Several cities and towns shall have several touches.

ITEM, That no goldsmith, nor worker of silver within the city of *London*, sell any workmanship of silver, unless it be as fine as the sterling, except the same need solder in the making, which shall be allowed according as the solder is necessary to be wrought in the same. (2) And that no goldsmith nor jeweller, nor any other that worketh harness of silver, shall set any of the same to sell within the city, before that it be touched with the touch [*of the leopard's head, if it may reasonably bear the same touch**] and also with the mark or sign of the workman of the same, upon pain of forfeiture of the double, as afore is said ; and that the mark and sign of every goldsmith be known to the wardens of the same craft. (3) And if it may be found, that the said keeper of the touch touch any such harness with the leopard's head, except it be as fine in alloy as the sterling, that then the keeper of the touch for every thing ~~so~~ proved not as good in alloy as the said sterling, shall forfeit the double value to the King and to the party, as is above recited. (4) And also it is likewise ordained in the city of *York, Newcastle upon Tyne, Lincoln, Norwich, Bristol, Salisbury, and Coventry*, that every one shall have divers touches, according to the ordinance of the mayors, bailiffs,

ITEM qe null orfeour ne overour dargent deinz la citee de Loundres vende null overaigne dargent sil ne soit auxi fyne come le sterlyng forspris ceo qe bofoigne soudure en la fesance le quell soit alowe solonc ceo qe la soudour soit necessarie pur estre overee en ycell. Et qe null orfeour ne juellour nautre homme qe opere harneis dargent mette null dicell a vendre deinz la dite citee devant ceo qe soit touchee avec le touche del test de libarde ceo qe puisse resonablement porter mesme le touche & auxi ove un marque ou signe del overour dicell sur peine de la forfaiture de la double come desuis est dit et qe le marque ou signe de chescun orfeour soit conuz a les gerdeins de mesme le mister. Et sil poet estre trove qe le dit gardein de la touche fuifdite touche ascun del hernoys ovek le test del libard sil ne soit auxi fyne en allaie come lesterlyng qe adonques le dite gardein de le touche pur chescune chose ensy prove nient si bon en alaye come le dit esterlyng forface la double value au Roy & a la partie come il est icy desuis recite. Et auxi semblablement est ordeine en la citee d'Everwyk Novell Chastell sur Tyne Lincoln Norwice Bristowe Salebury & Coventre qe chescun ait diverses touches solonc lordinance des mairs brillifs on governours de mesmes les villes

or

* These words in the Italic letter are printed only in Mr. Cay's edition.

villes et qe null orfeour nautres overours dargent ne gardeyn des ditz touches dedeins ycelles villes mette a vente ne touche null argent en autre manere qe nest ordeine pardevant deinz la citee de Loundres sur peine del forfaiture avandit. Et enoutre qe null orfeour nautre overour dargent dedeinz le roialme dEngleterre ou null touche est ordine come desuis est dit overee null argent fil ne soit auxi fyn en alaie come lesterlyng. Et qe lorfeour ou loverour dicell argent mette sur ycell son marque ou signe devant ceo qe le mette a la vent et fil soit trove qe ne soit auxi fine come lesterlyng qadonqs le overour dicell forface le double value en manere & forme come il est devant recitez deinz la citee de Loundrez. Et qe les justices de la pees mairs & baillifs & toutz autres aiantz poair come justices de pees eient enquergerent : & determinent par bille pleint ou en autre manere de toutz ceux qi facent le contrair de mesmes les ordinnances & ent facent due execution solonc lour discretions. Purveux toutz soitz qe si le maistre del mynt qore est ou quy pur le temps serra offende ou ad offenduz en son office du dit mynte qadonqs soit il correcte & justifie solonc la forme de les endentures avaunt ditz.

or governors of the same towns; (5) and that no goldsmith, nor other workers of silver, nor keeper of the said touches within the same towns, shall set to sale, or touch any silver in other manner than is ordained before within the city of *London*, upon pain of the said forfeiture.

(6) And moreover that no goldsmith, or other worker of silver within the realm of *England*, where no touch is ordained as afore is said, shall work any silver, except it be as fine in allay as the sterling, and that the goldsmith or worker of the same silver set upon the same his mark or sign before he set it to sale; (7) and if it be found, that it is not as fine as the sterling, that then the worker of the same shall forfeit the double value, in manner and form as before is recited within the city of *London*.

(8) And Justices of the peace, mayors, and bailiffs, and all other having power as justices of peace, shall hear, inquire, and determine, by bill, plaint, or in other manner, of all that do contrary to the said ordinances, and thereof to make due execution by their discretions. (9) Provided always, That if the master of the mint which now is, or which for the time shall be, offend, or have offended in his office of the said mint, that then he be punished and justified according to the form of the said indentures.

Justices of the peace, mayors, &c. may inquire of, hear, and determine the offences aforesaid.

18 Ed. 1. stat. 3.
c. 20.
17 Ed. 4. c. 1.
18 El. c. 15.

Justices may punish servants, masons, carpenters, &c. for taking unreasonable wages.

ITEM come en le temps de noble Roy *Henry* pier a nostre seigneur le Roy qore est en son parlement tenuz a *Leycestre* lan de son regne secunde soit ordeigne qe les justices de pees en chescune counte dEngleterre duissent examiner toutz maners de servantz en lour countees qi preignent salaries excedauntz

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la dite ordinance & les punir solonc mesme lordinance ordeinez est & assentuz qe les ditz justices aient poiar dappeller & de fair venir devant eux par Venire facias & distringas les maistres aiantz & occupiantz les ditz servantz & par attach' mesmes les servantz & ycelles examiner de le doner de leur salarie & la prise de ceo qils donent a leur ditz servantz. Et sil soit trove par examination ou en autre manere qe les ditz maistres donent puis qe accordant au dite ordinance qe adonques les ditz maistres qi puis donent & chescun de eux qi puis done pairont & paiera au Roy pur chescune salarie paieez a ascune servant contraire lexcesse & qe a mesme lordinance mesmes les servantz ensi preignantz & ent par leur conissance ou en autre loial manere atteintz eient lemprisonnement dune mois saunz baille ou mainprise. Et si ascun viscont bailiff de fraunchise gaoler ou ascun autre aiant la garde dez prisons deinz fraunchise ou dehors ou ascun de leur deputees mette ascune tielle persone au baille ou mainprise de adonques il perdra au Roy pur chescun tiel homme lessé a baille ou a mainprise xx s. et qe lez justices de pees aient poiar dappeller devant eux par attach' mafons carpenters tilers thakkers daubers & toutz autres laborers & eux examiner et sils trovent par examination ou en autre manere qe ascune des ditz persones ad pris a contraire a les leies & ordinances faitz devant ces heurs pardeuant qe adonques celluy qest trove ensi preignant ait lemprisonnement dun moys. Et qe mesmes les justices aient poiar dappeller devant eux par attach' taillours cordewaners tanners bochers peshours & carious de pesson hostilers & toutz autres artificers & vitailers & de eux assesser & chescun de eux a vendre & prendre solonc les discretions des ditz justices & si ascun de eux preigne le contraire a mesme lassession & de ceo par examination ou en autre manere soit trove coupable qe adonqs mesmes les persones ensy trevez coupablez & chescun deux face & facent syn solonc les discretions des justices & ait lemprisonnement dun moys saunz baill ou mainprise come desuis est dit. En qe cest ordinance extende sibien deinz citees & burghs ou ils ount poiar & auctoritee come justice de pees come en les countees sufsditz. Et endurera cest ordinance tanqe al parlement proscheynement avenir.

CAP. XV.

No man shall fasten nets to any thing over rivers.

ITEM it is ordained, That the standing of nets and engines called *Trinks*, and all other nets, which be and were wont to be fastened and hanged continually day and night, by a certain time of the year, to great posts, boats, and anchors, overthwart the river of *Thames*, and other rivers of the realm

ITEM ordeignez est & establiz qe le station des reis & engines appelez trynkes & de toutz autres maners reis qi sont & soloient estre fichez & attachez continuellement de poet & jour par certain temps del an as grauntz postes batels & anchres au travers la rivere de *Thamise* & autres rivers du roialme

roialme quele station est cause & occasion del auxi graund & pluys destruction del brode & frie de pesson & destourbance del commune passage del vef-seulx come sont les weres ky-delx ou nulles autres engines soit tout outrement defenduz pur tout temps avenir et qe chescun qi les mette ou fische desorenavant as tielx postes batelx & anchres ou chose semblable pur continuelment estoiser come dit est & ent soit due-ment & par cours de ley convictez forface au Roy C.s. a chescun temps qil est ensi provee en defect. Purvieux tout-soitz qe bien life as possessours des ditz trynkes fils soient daffise pefchier avec eux en tout temps seisonable les entrahantz & conveiantz par main come autres pefchours font ove autres reis & non fichantz & attachantz les ditz reyes as postes batelz & anchres pur continuelment estoiser come dit est salvant toutsoitz a chescun liege du Roy leur droit title & enheritaunce en leur pefcherie en la ewe avaunt dit.

realm, which standing is a cause of as great and more destruction of the brood and fry of fish, and disturbance of the common passage of vessels, as be the wears, kydels, or any other engines, be wholly defended for ever; (2) and that every person that setteth or fasteneth them hereafter to such posts, boats, and anchors, or like thing, continually to stand as afore is said, and be duly thereof by the course of the law convict, shall forfeit to the King C.s. at every time that he is so proved in default. (3) Provided always, That it shall be lawful to the possessors of the said trinks, if they be affise, to fish with them in all seasonable times, drawing and pulling them by hand, as other fishers do with other nets, and not fastening or taking the said nets to posts, boats, and anchors, continually to stand as afore is said; (4) saving always to every of the King's liege people their right, title, and inheritance in their fishings in the said water.

The penalty of those which do fasten trinks or other nets over any river.

In what sort owners of trinks may fish with them.

C A P. XVI.

Persons in the reversion may sue for the right to estates, notwithstanding any defaults committed by the former possessors.

ITEM come ordeigne soit par estatut fait Westm' lan du regne le Roy E. fitz le Roy H. treszime qe si breve soit porte vers le baron & sa femme ou envers tenant a terme de vie a terme dautre vie ou par le curtesie ou tenant en le taill apres possibilite dislue exteint & le baron ou tielx tenauntz fount defeaute apres defeaute ou voillent rendre al demaundant son demande qe si le femme ou ceux a qi le reversion est veignent devant juggement rendu qils serront receux a defendre leur droit. Et pur ceo qe les justices du Roy sont ore en graunt awereustee si le baron ou ascun des ditz tenauntz font defect apres defect ou rendent lacion as demaundant les queux defectz ou redditions sont recordez a un terme & des certains causes les justices moevantz le juggement mis en respite & jour don outre tanqual prochein terme si ceux en la reversion serront

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ferront receux a celle darrein terme a defendre leur droit. Et pur oustier tiel awerouste & doute ordeinez est & declarez par ladvis & assent fuisditz que ceux en reversion purront estre receux a defendre leur droit s'ils veignent a aucun temps devant jugement rendu en tielx cas devant declarez accordant a les forme & parols en le dit estatut contenuz. Et que yceste ordinaunce se extende as brefs uncore pendantz & le jugement uncore nient renduz come en actions defore enavaunt amovers. Et durera ceste ordinaunce tanqu'al parlement prochainement avenir.

C A P. XVII.

Persons indicted of high treason escaping out of prison shall be adjudged traitors.

ITEM come en temps le noble Roy E. tiers apres le conquest lan de son regne xxv. a son parlement tenuz a Westm' furent declarez par estatut en le dit parlement quelles choses duissent estre ditz traïson entre queux si homme fuisse enditez appelez ou pris par suspecion de graund traïson & pur ceste cause commise & detenuz en prison du Roy & puis tiel prisonne eschape hors de prison de Roy declaration ne fuisse faite avant ces heurs le quele tiel eschape seroit adjudge traïson ou nient ordeinez est & declarez par auctorite dicest present parlement par estatut que si aucune persone soit endite appelle ou pris pur suspecion de graunt traïson come avant est dit et soit commys & detenuz en prison du Roy pur celle cause & eschape volumentement hors du dit prisonne que tiel eschape soit adjudge & de rare traïson si tiel persone ent soit duement atteint solonc le ley de ceste terre. Et eient les seignurs du fee en tiel cas les escheres & forfeitures des terres & tenementz de eux tenus de tielx persones issint atteintz come de ceux qui sont atteintz de petite traïson. Et teignent cest ordinaunce & declaration lieu & effect del xx jour d'Octob' darrein passe tanque au parlement prochainement avenir.

Statutes made at *Westminster*, Anno 3 HEN. VI.
and *Anno Dom.* 1424.

NOSTRE seigneur le Roy par advys & assent des seignurs espirituelx & temporelx & a lespecial request des communes en ceste parlement tenuz a Westm' le darrein jour d'Averill lan de son regne tierce ad ordeinez & establiz certains ordinaunces & estatuts a lonour de Dieu & pur le bien de son roialme en la fourme ensuant.

OUR lord the King, by the advice and assent of the lords spiritual and temporal, and at the special request of the commons, assembled in this parliament, holden at Westminster the last day of April, the third year of his reign, hath ordained and established certain ordinances and statutes, to the honour of GOD, and for the weal of his realm, in the form following.

CAP. I.

Masons shall not confederate themselves in chapters and assemblies.

FIRST, whereas by the yearly congregations and confederacies made by the masons in their general chapters and assemblies, the good course and effect of the statutes of labourers be openly violated and broken, in subversion of the law, and to the great damage of all the commons; (2) our said lord the King willing in this case to provide remedy by the advice and assent aforesaid, and at the special request of the said commons, hath ordained and established, That such chapters and congregations shall not be hereafter holden. (3) And if any such be made, they that cause such chapters and congregations to be assembled and holden, if they thereof be convicted, shall be judged for felons. (4) And that all the other masons that come to such chapters and congregations, be punished by imprisonment of their bodies, and make fine and ransom at the King's will.

Ex edit. Pale.
3 Inst. 99.
It shall be felony to cause masons to confederate themselves in chapters and assemblies.

CAP. II.

Sheep shall not be transported beyond sea without the King's licence.

ITEM pur ceo qe plusours diverses persones amesnent hors du roialme de temps en temps grande nombre des berbees lanutz en Flaundres & autres paiis de pardela le meer & la ils fount eux tonder & vendent sibien mesmes les berbees come les laines dicelles as hommes de mesme la paiis issint qe par tielx persones les berbees deinz mesme la paiis de Flaundres & autres parties deins brief temps sont veraisemblablez destre grandement encreceez & multipliez a tresgrande deceit perde & damage nostre dit seigneur le Roy de les custumes et subsidies des ditz laines & auxi grande arrierissement de tout le roialme & amenuisement & depression de la price des lains sibien a lestaple de Caleis come cy en Engleterre sil ne soit purveu de remedie celle partie nostre dit seigneur considerant les premisses de ladvis assent

ITEM, because that divers persons do from time to time carry out of the realm great number of sheep with fleeces into Flanders, and other countries beyond the sea, and there they shear them, and sell as well the same sheep, as the wools of the same, to men of the same country, so that by such persons the sheep within the said country of Flanders, and other parts, in short time be likely to be much increased, to the great deceit, loss, and damage of our lord the King, of his customs and subsidies of the said wools, and also to the great hindrance of all the realm, and diminution and abatement of the price of wools, as well at the staple at Calais as bere in England, unless remedy be provided in this behalf; (2) our said lord the King, considering the premisses, by the advice and assent, and at the request aforesaid, hath ordained and granted by the authority of the said parliament, That no manner

8 El. c. 3.

Whosoever shall transport sheep to any part beyond the sea shall forfeit them.

manner of person, of what estate or condition that he be, hereafter be suffered to ship within the realm of *England* any sheep, fleeced or shorn, into the said country of *Flanders*, or to any other parts beyond the sea, except it be to victual the town of *Calais* and the marches thereof. (3) And that every man that may be espied, which under the colour of victualling of the same town and marches of *Calais*, passeth into any other places, than to the same town and marches, with any sheep fleeced or shorn (except he have the King's licence) shall forfeit to the King the same sheep, or the value thereof, as oftentimes as he shall be found in default.

assent & request suifditz ad ordinez & grantez par auctorite du dit parlement qe nul maner de persone de quele estat ou condition qil soit de cy enavaunt soit suffrez deskipper ou faire eskipper deinz le roialme ascunes berbees lanutz ou tonduz en ladite paais de Flaundes ou autres parties de pardela le meer fil ne soit pur la vitailier de la ville de Caleys & les marches dicelles. Et qe chescun homme qe poet estre espiez qe soubz colour de vitailier du dite ville ou marches de Caleys qil passe a aucun autre lieu qe a mesmes les ville & marches oveqse ascuns berbees lanuz ou tonduz fil ne ait licence roialle qil forcase au Roy mesmes les berbees ou le value dicelles si sovent defoitz come il soit trove defectif.

C A P. III.

The penalty of a customer, &c. concealing the King's custom.

The penalty of a customer, collector, or controller, concealing the King's custom.

ITEM it is ordained and established, That if any customer, collector, or controller of the King's customs of cokettes of cloths, of subsidies of tunnage or poundage, in any port or place of *England*, be duly attainted or convict at the King's suit, of false concealing of the King's custom or subsidy duly entered and paid by any merchant, that then the said customer, collector, or controller so duly attainted or convict by the law, shall lose and forfeit to the King the treble value of the merchandises so duly customed, and make fine and ransom. (2) And he that will sue, shall have the third part for his labour.

ITEM ordinez est & establiz qe si ascune customer collector ou countrollour des custumes du Roi de cokettes de draps del subsidies del tonage ou pondage en ascun port ou lieu d'Engleterre soit duement & loialment atteinte ou convict al suyte du Roi ou al suyte d'aucune autre persone pur la vauntage du Roi de faux concelement de custume ou subsidie du Roi duement entre & paie par ascune merchant qadonques le dit customer collector ou countrollour ensi duement atteint & convict par la ley perde & forcase au Roy le treble value des merchandises ensi duement custumez & face fyn & raunceon. Et si ascun homme le voet fuer ait le tierce partie pur son labour.

Dyer, 238.

4 H. 4. c. 20.

1 El. c. 11. f. 7.

18 El. c. 9.

C A P. IV.

Licence may be granted to convey butter and cheefe to any place.

ITEM, whereas by a statute made in the time of the noble King Edward the Third, it was ordained, That the staple and the merchandises of the staple should be carried to *Calais*, amongst which merchandises it was ordained by the same statute, That butter and cheefe should be merchandises of the staple, (2) by which ordinances divers persons of the realm of *England* have had great damage, because that the said butter and cheefe be so tender merchandises that they cannot tarry their merchants, as our lord the King hath perceived by the grievous complaint of his said commons: (3) the same our lord the King, willing to provide remedy in this behalf, by the advice and assent aforesaid, hath ordained and established, That he that will carry butter and cheefe to any other parts than to the said staple, shall sue to the chancellor of *England* for the time being to have licence in this behalf. (4) And that the same chancellor have power to make to him such licences under the King's great seal, if it like him so to do by his discretion.

Ex edit. Pult. 18 H. 6. c. 3. 1 & 2 Ph. & M. c. 5. 13 & 14. Car. 2. c. 26.

The lord chancellor may grant licence to any to convey butter and cheefe to any other place besides the staple.

C A P. V.

Commissions may be awarded to certain persons, to reform the river Ley, running from Ware to Thames.

ITEM, whereas in the last parliament it was granted, That a commission for the water called the Ley, one of the great rivers, which extendeth from the town of *Ware* till the water of *Thames*, in the counties of *Hertford*, *Essex*, and *Middlesex*, to survey, redress, and amend all the defaults in the said water, for the passage of ships and boats, as in the ordinances and statutes of the King's noble progenitors is contained: And so much as the same commission was directed to divers great men, lords and other persons, which thereto might not attend: it is ordained and established, That the chancellor of *England* shall have power to grant such commissions at all times needful to such different persons dwelling thereabout, which thereto best can and may attend to enquire, redress, and amend all the defaults being in the said water, as well by divers trenches made out of the said water, as of all other manner stanks, kidels, wears or mills, being or made to the annoyance of the passage of boats in the said water, according to the purport and tenor of the statutes in this case provided and ordained.

Ex edit. Raft. Ley the river. 9 H. 6. c. 9. 13 Eliz. c. 18.

Commission. Chancellor of England.

Statutes made at *Leicester*, Anno 4 HEN. VI. and
Anno Dom. 1425.

CEUX sont les estatuts &
ordinances faitz par nostre
Vol. III.

THESE be the ordinances and
statutes made by our sove-
reign

reign lord the King, by the advice and assent of the lords spiritual and temporal, and at the special request of the commons of his realm, in his parliament holden at Leicester, the eighteenth day of February, the fourth year of his reign being to the honour of God, and for the weal, profit, and edse of his realm.

tre souverain seigneur le Roi par advis & assent des seignurs esperituelx & temporelx & a la especial request des communes de son roialme en son parlement tenuz a Leycestr' le xviii^e jour de Fevrier lan de son regne quart esteantz a lonour de Dieu & pur le bien case & profit de son roialme.

C A P. I.

Every sheriff shall return such writs as be directed to him at such days as they be returnable, and shall warn those jurors which be impanelled.

FIRST, whereas grievous complaint hath been made to the King by his commons in this parliament, That where divers writs at the suit of the parties be severally directed to sheriffs of the realm, to take divers persons by their bodies, the same sheriffs, after the writs to them so directed, take great sums of money of the parties, which be so pursued for their mainprife: and moreover the said sheriffs do take great sums of money, to embezzle the King's writs in divers cases, to the great impediment and hinderance of the parties pursuing, to the great oppression and impoverishing of the common people of the realm: and whereas writs be directed to the said sheriffs to impanel divers persons to pass in inquests betwixt parties, and to return and certify their names in the King's courts, the same sheriffs do return and certify by virtue of the said writs, the names of divers men impaneled, without any warning thereof made to them, to their great los and damage: it is ordained and stablished, That every sheriff for the time being, shall return the writs to him directed in the King's courts, at such days as they be returnable. And that the same sheriffs in reasonable time warn all the persons impaneled, to pass in inquests in the King's courts, that they may appear at such days as they have by the King's writs. And if any sheriff do the contrary of any of the said articles, then the party that feeleth himself grieved, may sue by bill or writ upon his case against the sheriff, as well in the exchequer as in any other of the King's courts, in which suits if the sheriff be convict, the party that sueth shall recover in the same suit his double damages. And that the justices of peace, stewards of leets and hundreds, have power to enquire of such misprisions and defaults of the said sheriffs, and to certify their said enquiries before the justices of deliverance so that they may put the said parties to answer: upon which answer if they be found guilty, they shall make fine and ransom to the King. And this ordinance shall endure till the next parliament. And as to the letting to mainprife, the statutes made in times past and not repealed,

Sheriffs.

Panel.

repealed, being in their own force, shall be holden and kept in all points.

C A P. II.

A rehearsal and confirmation of the statute of 9 HEN. V. c. 3. touching protections granted to those who were in the wars in Normandy or France.

I T E M, whereas at the parliament holden at *Westminster* the second day of *May*, the ix. year of the reign of King *Henry* the Fifth, father to our sovereign lord the King that now is, because that the taking of assises was generally ceased through the realm, by reason of an ordinance made by the said late King; our sovereign lord the King considering the diseases and damage, which many of his liege people have had and sustained by the same ceasing, commandeth, That the justices shall hold the assises through the realm in the manner accustomed. And for Assises. to eschew the disherison of persons, which then were passed and should pass in the voyage of the said late King, and also of the persons which were abiding in the service of the said King in the parts of *Normandy* and of *France*, it was ordained and provided, That in every protection with the clause (*Volumus*) to be made for any of the same persons, there should be in the clause of exception contained in the same, omission of these words, *Assise novel disseisin*. And that all those protections should Protections be allowable and allowed for them and every of them in all the King's courts and other places, where such protections be set forth for any such persons in all pleas of assises as well of novel disseisin as of fresh force, without any difficulty. Provided always, That the judgments to be given from henceforth in such assises arraigned or to be arraigned, shall not be prejudicial to any persons so abiding in the King's service beyond the sea, as afore is said, which have any thing in reversion or in remainder in lands or tenements, whereof such assises were or should be arraigned, if they which had in reversion or in remainder in such lands or tenements, should not be named in the same assises, but that they should be against them wholly void. And this ordinance shall indure till the parliament, which shall be first holden after the next return of the said late King into *England*. And if the same ordinance touching the said persons so abiding in the King's service beyond the sea, and also touching the said persons which then were passed or should pass in the said voyage, were not sufficient for the ease and surety of them: it was also accorded and assented, That the lords of the King's council for the time being, should have full power by authority of the said parliament, to set, ordain, and provide sufficient remedy for the ease and surety of all the same persons, as for them and every of them should seem to the said lords most expedient and available in the case, after their good advice and discretions, which ordinance is determined by the death of the said late King: our sovereign lord the King, considering the good and agreeable service, which many of his faithful subjects have done to him, and daily do in

the parts beyond the sea, in the company of his dear uncle the regent of *France* duke of *Bedford*, and of his deputies in the parts of *France*, and for so much willing for their ease and surety likewise to ordain and provide in this case; of the assent and advice of the lords spiritual and temporal, and also of the commons in this parliament assembled, hath ordained, That the said ordinance made the said ix. year shall stand as a statute and law effectual and available in all points for all persons which now be and hereafter shall be abiding in the King's service in the company of the said regent, or of his deputies in the parts of *France* and of *Normandy*, to endure from the first day of *June*, the fourth year of the reign of our said sovereign lord the King, till the end of three years then next following. Provided always, That all the entries to be made after the said first day of *June*, shall not be comprised in this present ordinance. And that none, which shall make such entries after the said first day of *June*, shall have any benefit of the same ordinances.

This follows C A P. V. upon the Roll.

C A P. III.

Justices in certain cases may amend their records according to former statutes.

ITEM, *whereas at the parliament holden at Westminster the second day of May, the ninth year of the reign of King Henry, father of our lord the King that now is, it was rehearsed, how that at the parliament holden at Westminster the xiv. year of King Edward the Third, it was ordained by the authority of the said parliament, That for misprision of a clerk, in whatsoever place it be, no process or plea should be undone nor discontinued, by oversight in writing a letter or syllable too much or too little, (2) but as soon as the thing were perceived by challenge of the parties, or in other manner, it should be hastily amended in due form, without giving advantage to the party that challengeth the same because of such misprision; (3) the said late King Henry, considering the diversities of opinions which men had upon the said statute, and to put the thing in more open knowledge, did declare*

ITEM come au parlement tenuz a Westm' le ij. jour du Maij lan du regne le Roi HENRI pier nostre seigneur le Roi qorest ix^e reherce fust comment au parlement tenuz a Westm' lan du regne le Roy E. tierce xiiij. ordeigne fuit par auctorite du dit parlement qe pur mesprison de clerc en queconque place ceo soit ne soit processe de plee aniente ne discontinue par mesprendre en escrivant une lettre trop ou trop poy mes sitost come le chose ferra aperceive par chalange des parties ou en autre manere soit hastivement amende en due fourme sanz doner avantage a partie qe ceo chalange pur cause de tiel mesprison le dit nadgairs Roi HENRI considerant la diversite doppinions qe lem avoit sur le dit estatuit & pur mettre le chose en plus overt conysauns declara & ordina par auctorite du dit parlement tenuz

5 Co. 45.
8 Co. 157.
Dyer, 260, 342.

nuz le dit an ixe qe les justices devaunt queux tiel plee ou recorde est fait ou serra pendant sibien par ajournement come par voie derrouer ou autrement cient poair & auctorite damender tielx recorde & processe come devaunt est dit solonc la fourme de mesme lestatuit sibien apres juggement en tiel plee recorde ou processe renduz come devaunt le juggement renduz en tielx plee recorde ou processe tant come les ditz recorde & processe soient devaunt eux en mesme la manere come justices avoient poair damender tielx recorde & processe devaunt juggement renduz par force du dit estatuit en temps le dit Roi E. fait come desuis la quele ordinance endureroit tance al profchein parlement qi ferroit primerment tenuz apres le revenue du dit Roi HENRI le pier en Engleterre de pardela et la quele ore est determine par le mort du dit nadgairs Roi HENRI le pier le Roi nostre sovereign seignur par avis & assent suisditz ad ordine & establie qe le dit estatuit & effect dicell fait le dit an ixe teigne force vigour & effect en chescun recorde & processe sibien apres juggement renduz sur verdit passe come sur matiere en leic plede come estatut vaillable & effectuell en ley a toutz jours adurer. Purveu toutz foitz qe cest estatut ne se extende as recordes & processees es parties de Gales ne as recordes & processees par queux ascune persone est ou serra utlage al suyt dascun.

CAP. IV.

The writs, suits, and processees now depending of certain that were late made knights, shall not abate for that cause.

ITEM, our said sovereign lord the King, by the advice and assent afore said, hath ordained and stablished, That all the writs, suits, and processees, which all the knights that were made knights by the King in the time of this parliament holden,

declare and ordain by authority of the said parliament holden the said ninth year, That the justices before whom such plea or record is made; or shall be depending, as well by adjournment, as by way of error or otherwise, shall have power and authority to amend such record and process, as well after judgment given as before, by force of the said statute made in the time of the said King EDWARD, which ordinance should endure till the next parliament, which should be first holden after the return of the said King Henry the father into England from beyond the sea, and which now is determined by the death of the said late King Henry the father: (4) our sovereign lord, by the advice and assent of the said parliament, hath ordained and established, That the said statute, and the effect of the same, made the said ninth year, shall hold strength, force, and effect, in every record and process of the same, as well after judgment given upon a verdict passed, as upon a matter in law pleaded, as a statute available and effectual in law to endure for ever. (5) Provided always, That this statute do not extend to records and processees in the parts of Wales, nor to records and processees whereby any person is or shall be outlawed at any man's suit.

A confirmati
on of the sta-
tute of 14 Ed.
3. stat. 1. c. 6.
& 9 H. 5. c. 4.
authorising
justices to a-
mend records.

have depending, and which every of them hath depending, not determined, be good and effectual not abateable by the law, because that they be made knights, or because that any of them is made knight.

CAP. V.

Licence given to all the King's subjects to transport corn.

Ex edit Pult.
A confirma-
tion of the
statute of
17 R. 2. c. 7.
giving licence
to all the
King's sub-
jects to carry
corn out of
the realm.
1 & 2 Ph. & M.
c. 5.
1 Jac. 1. c. 25.
3 Jac. 1. c. 11.
Repealed by
21 Jac. 1. c. 28.

ITEM, whereas the noble King *Richard* the Second after the conquest, at his parliament holden at *Westminster* the xv. day of *St. Hillary*, the xvii. year of his reign, at the special request of the commons of the same parliament, did grant licence to all his liege people of his realm of *England*, to ship and carry corn out of the said realm, to what part them pleased, except to enemies, paying the subsidies and duties thereof, notwithstanding any ordinance, proclamation, or restraint made before to the contrary: nevertheless, the same late King, willing that his council might restrain the said passage when to them seemed needful for the profit of the realm, (2) our lord the King at the special request of the commons of this present parliament, and by the advice and assent aforesaid, will and granteth, That the said statute be holden and kept in all points, so that his council may restrain the said passage when they shall think it necessary for the profit of the realm.

Statutes made at *Westminster*, Anno 6 HEN. VI.
and Anno Dom. 1427.

OUR lord the King, at his parliament holden at *Westminster* the fifteenth of *St. Michael*, the sixth year of his reign, by the advice and assent of the lords spiritual and temporal, and at the special instance and request of the commons of his realm in the said parliament assembled, hath caused to be made certain statutes and ordinances to the honour of God, and for the weal and ease of his people, in the manner and form following.

NOSTRE seigneur le Roy a son parlement tenuz a *Westm'* a la quinziesme de *Saint Michell* lan de son regne vj^{me} par advys & assent des seignurs espirituelx & temporelx & al especiale request des communes de son roialme en le dit parlement assemblez ad fait faire certains estatutz & ordinances a lonour de Dieu & pur le bien & ease de son poeple en la forme qensuyt.

CAP. I.

Within what time a Capias awarded against any person indicted in the king's bench shall be returnable,

3 Inst. 31.

FIRST, for that divers of the King's faithful subjects, by false practice, covin, and conspiracy of certain evil persons, be indicted before our lord the King in his bench, of divers felonies and treasons,

EN primes pur ceo qe divers des loialx lieges nostre dit seigneur le Roi par faux ymagination comettement & conspiracie des certains malefesoours sont enditez devaunt le Roy en

en son bank de diverses felonies & tresons par jurours suspectz & a ceo par confederacie & conjecture des ditz conspirateurs lowez & procurez par force des queux enditementz Capias est agarde al viscount del countee ou le dit bank est retournable deinz deux ou quatre jours a quell jour fil la partie endite ne veigne exigend' est agarde par quoi les biens & chateux des ditz enditz sont forfaitz au Roy a final destruction de divers des loialx lieges de nostre dit seigneur le Roi si come mesme nostre seigneur ad conceu a la grevous complainte des ditz communes a luy faite en le dit parlement nostre dit seigneur le Roy voillant en ceo cas purvoir de remedie ad ordine par advys & assent suisditz qe avant qe aucun exigende soit agardez envers tielx enditez devaut le Roy en son dit bank soient briefs de Capias directz sibien al viscount ou viscountz del countee en le quell ils sont ensi enditez come al viscount ou viscountz del countee dount ils sont nomez en les enditementz aiantz mesmes les Capias l'espacement des sjs sepmaines au meynes ou plus long temps par les discretions des justices si le cas ceo requiert devaut la retourne dicelles les queux briefs issint retournez procedent les justices en maner come ils ont fait devaut ces heures et si aucune exigende soit agarde ou aucune utlagarie pronunciee en apres envers tielx enditez devaut le retourne des ditz briefs soit celle exigende issint agarde avec la utlagarie ent pronunciee voide & tenuz pur null. Et durera ceste ordonnance tanqil plerra a nostre seigneur le Roy.

treasons, by suspect jurors, hired and procured to the same by confederacy and covin of the said conspirators; (2) by force of which indictments a Capias is awarded to the sheriffs of the county where the said bench is, returnable within two or four days, at which day, if the party so indicted come not, an Exigent is awarded, whereby the goods and chattels of such persons indicted be forfeit to our lord the King, to the utter undoing of divers of the King's faithful subjects, as the same our lord the King hath conceived by the grievous complaint of the said commons, made to him in the said parliament; (3) our said lord the King, willing in this case to provide remedy, hath ordained, by the advice and assent of the said lords, That before any Exigent be awarded against such persons indicted before the King in his said bench, writs of Capias shall be directed, as well to the sheriff or sheriffs of the county wherein they be indicted, as to the sheriff or sheriffs of the county whereof they be named in the indictments; (4) the same Capias having the space of six weeks at the least, or longer time, by the discretion of the said justices, if the case require it, before the return of the same; (5) which writs so returned, the justices shall proceed in the manner as they have done before this time: (6) And if any Exigent be awarded, or any outlawry pronounced hereafter against such persons indicted, before the return of the said writs, the same Exigent so awarded, with the outlawry thereof pronounced, shall be void and holden for none. (7) And this ordinance shall endure as long as shall please the King.

Upon an indictment of any person in the king's bench a Capias shall be awarded against him returnable at the least six weeks before any exigent shall be awarded.

8 H. 6. c. 10.

CAP. II.

How long time the copies of panels in assise shall be delivered to the parties before the sessions of the justices.

3 Inf. 175.

How long time the Copies of panels in assises shall be delivered to the parties before the sessions of the justices.

ITEM, because that divers of the King's liege people in times past have been disherited, for that in special assises the tenants and defendants could not have knowledge nor copy of the panel of them that be impanelled to pass in the said assises, to inform them of their rights and titles before the day of the session that the assises should be demanded; (2) our lord the King, willing thereof to provide remedy, hath ordained and established, That the panels of the assises shall be arrayed, and a copy indented of the same by the sheriff delivered to the plaintiffs, tenants, and defendants six days at the least before the session of the justices, if they the same demand; (3) and as to the return or answer of the bailiffs of franchises, they shall make their returns or answers to the sheriffs, of such special assises, six days before the sessions in the manner aforesaid: (4) and that upon pain of forty pounds to be paid by the said sheriffs or bailiffs to our lord the King, as often as they, or any of them, do or cause to be done contrary to this ordinance or statute.

45 Ed. 3. c. 11.

ITEM pur ceo qe divers des lieges nostre seigneur le Roy avaut ces heures ount estez desheritz a cause qen les especiales assises les tenantz & defendantz ne purront ny avoir conissance ne copy de la panell de ceux qi sont empanellez pur passer en les ditz assises pur eux enformer de lour droit & titles devaut le jour de la session qe les assises seront demandez nostre dit seigneur le Roy voillant de ceo purvoier de remedie ad ordine & establie qe les panelles des ditz assises soient arraiez & copie endentee dicelles par le viscount deliveree a les plaintifs tenantz & defendants par vi. jours a meins devaut la session des justices si eux les demandent. Et quant a la retourne ou response des bailiffs des franchises facent ils lour retournez ou response as viscountz en tielx especialx assises viij. jours devaut la session en manere come desuis. Et ceo sur peine de xl. li. a paiers par les viscountz ou bailiffs a nostre seigneur le Roy a tant de soitz come ils ou ascun de eux fount ou face la contrarie de cest ordonnance.

CAP. III.

The justices of peace, &c. shall assign the wages of artificers and workmen by proclamation; and the penalty of those that take more.

Ex edit. Raft.
Servant of
husbandry.

ITEM, whereas it was ordained in the parliament holden at Canterbury, the twelfth year of King Richard the Second, how much every servant of husbandry shall take by the year for his service, and if any do contrary to the same ordinance, and thereof be attainted, that he shall pay, that is to say, as well the giver as the taker the excess so given or taken, and at the second default of their atteindre, the double value of such excess, and at the

the third default, the treble value, and if the said taker have not whereof he may pay the said excess, that then he shall have imprisonment of forty days. And also by another statute made at the parliament holden at *Westminster*, the thirteenth year of the said late King, it was ordained and established, That the justices of peace in every county of *England*, in their sessions holden betwixt the feast of *Easter* and *St. Michael*, make proclamation by their discretion, according to the dearth of victuals, how every mason, carpenter, tiler, or any artificer working by the day, as well in *August* as in other times of the year, after their degree, shall take the day with meat and drink between the said sessions, as a thing by the statute: which statutes be not kept nor put in execution, that is to say, the first statute, because that the punishment in the same is too hard upon the masters of such servants, forasmuch as they shall be destitute of servants, if they should not pass the ordinance of the statute, and the second statute, because that no pain is limited against him that doeth contrary to the same statute: our sovereign lord the King, willing in this case to provide remedy, hath ordained by authority of this parliament, that the justices of peace in every county for the time being, and the mayor of the city of *London* for the time being, and the mayors and bailiffs in every city, borough or town, shall have such power and authority to make proclamation in their full sessions once by year, and so in every borough and market town within their jurisdiction, how much every servant of husbandry shall take for his service by the year then next following, and that they make two times proclamation in two sessions, by them to be holden betwixt the feast of *Easter* and *St. Michael*, and in every borough and market town, how much every artificer and workman shall take by the day, and by the week with meat and drink, or without meat or drink, as well in *August* as in other times of the year. Provided always, That if any man be retained by the week for husbandry or other labour, that he shall take nothing for the festival days in such week nor for the half days of the evens of such feasts. And that every proclamation so to be made, be holden as a thing ordained by statute. And if any servant, artificer, or workman do the contrary of such proclamation so to be made, and be thereof attainted at the King's suit, he shall forfeit to the King every time the value of his wages, and if he have not whereof to make gree to the King, he shall have imprisonment of forty days, without being let to bail or mainprise in any manner. And that the justices of peace, mayors, and bailiffs afore said, then for the time being, shall have power and authority to hear and determine such offences, as well at the King's suit by suggestion surmised, as at the suit of the party in such case grieved, and thereupon to make and award writs of *Capias*, as oftentimes as to them shall seem well to be done, against such servants, artificers and workmen, at every person's suit that feeleth him in such case grieved or molested, returnable before themselves, or before any other justices of peace, or mayors and bailiffs for the time being, at a certain

Justices of peace.

Artificers.

Mayors. Bailiffs.

certain day in their sessions, at which day if any such servant, artificer, or workman come before the said justices of peace, or before mayors, or bailiffs by force of any such writs, or in any other manner, that then the same justices of peace, mayors, or bailiffs for the time being, shall have full power and authority to examine by their discretion and knowledge, as well such servants, artificers, and workmen, as their masters, how much such servants, artificers and workmen do take by the year, by the day, and by the week. And if they find by such examination, or by plea betwixt the same servants, artificers, workmen, and their masters, the contrary to be done of such proclamations so to be made, that the said servants, artificers, and workmen, and labourers shall be punished in the form aforesaid. And they shall yield to the party grieved his double damages. And if any of them depart or void into another county, that then it be lawful to the said justices of peace, mayors and bailiffs, for the time being, to make and grant writs of *Capias*, as many and such as be requisite, directed to the sheriffs of the counties, where such servants, artificers and workmen be fled, to take their bodies, returnable before them at what time shall please them, so that if they come by such process they shall be put in prison, till they find sufficient surety well to serve their said masters. And that this statute begin to hold place, as to the punishment of such servants retained by the year or by the half year, after the feast of St. Michael next coming, for the offences in this behalf done by them after the said feast. And that all the mayors and bailiffs, which be wardens of the peace in any cities, towns, or boroughs of the realm for the time being, shall have like power, correction and execution of the said ordinance so to be made, and of all statutes of labourers within the said towns, cities, and boroughs, as the justices of peace have in their counties. And moreover, That the justices of peace in every county, and the mayors and bailiffs in every such city, borough or town, shall have power and authority to make proclamation and execution of and in the premisses as afore is said. And this ordinance shall endure till the end of the next parliament.

8 H. 6. c. 3.
5 Eliz. c. 4.

CAP. IV.

The sheriffs traverse to an inquest found touching returning knights of shires for the parliament.

A rehearsal of the statute of 7 H. 4. c. 15. touching the form of choosing of knights for the parliament.

ITEM, where it was ordained and established in the seventh year of King Henry the Fourth, grandfather of our lord the King that now is, That knights of shires for the parliament should be chosen in the manner and form following; that is to say, at the next county to be holden after the delivery of the writ of the parliament, proclamation shall be made in

ITEM come ordeigne soit & establie lan septisme le Roy H. quart aiel nostre seigneur le Roy qorest qe chivalers des countees pur le parlement soient esluz en maner & fourme qensuite cestassavoir qe al prochain countee a tenir apres la livre de brief de parlement proclamation soit fait en plein countee del jour & lieu de parlement

parlement & qe toutz ceux qi illœques sount presentes sibien seutours duement summonnez pur cell cause come autres entendent a la election de leur chivalers pur le parlement & adonques en plein countee alent a la election liberalment & endiferement non obstant ascun prier ou commandement a contrarie & apres qils soient esluz soient les personz eslieux presentz ou absentez soient leur nouns escriptz en endentures desoubz les seales de toutz ceux qi eux eslisouent & tachez au dit brief de parlement quele endenture issint ensealez & tachez soit tenuz pur la retourne de dit brief qant as chivalers des countees & qe en brief de parlement affair en temps avenir soit mys ceste clause *Et electionem tuam in pleno comitatu tuo factam sub sigillo tuo & sigillis eorum qui electioni illi interfuerint nobis in cancellaria nostra ad diem & locum predictos certifies indilate.* Et pur tant qe en mesme lestatut null peine fust ordenez ne mys en especial sur les viscountz des countees fils facent ascun retourne al contrarie du dit estatut ordeine fust & establie lan xie le dit Roy Henry quart qe les justices as assises prendre eient poair denquerer en leur seïssions des assises de tielx retournes faitz & si par enquest & due examination trove soit devaunt mesmes les justices qe ascun tiel viscount eit fait ou face en apres ascun retourne encounter la tenure du dit estatut qe mesme le viscount encourage la peine de C li, apaiers au nostre dit seignur le Roy. Et outre ceo qe les chivalers des countees ensi nient duement retournez perdent leur gagez

in the full county of the day and place of the parliament, (2) and that all they which be present there, as well suitors duly summoned for this cause, as other, shall attend to the election of their Knights for the parliament; (3) and then in full county they shall proceed to the election freely and indifferently, notwithstanding any request or commandment to the contrary; (4) and that after they be chosen, whether such persons chosen be present or absent, their names shall be written in indentures, under the seals of all the choosers, and annexed to the said writ of parliament, which indenture so sealed and tacked, shall be holden for the return of the said writ, as to the knights of the said shires: (5) and also in the writs of the parliament hereafter to be made, this clause shall be put in the manner as followeth: Et electionem tuam in pleno comitatu tuo factam distincte & aperte sub sigillo tuo & sigillis eorum qui electioni illi interfuerint, nobis in cancellaria nostra ad diem & locum in brevi contentos certifies indilate. (6) And for that in the same statute no pain was ordained, nor specially set upon the sheriffs of the county, if they make their return contrary to the said statute, it was ordained and established the eleventh year of the said King Henry the Fourth, That the justices of assises should have power to inquire in their sessions of assises of such returns made; (7) And if it be found by inquest and due examination before the same justices, that any such sheriff hath made, or hereafter shall make, any return contrary to the tenor of the said statute, that the same sheriff should incur the pain of an hundred

By the stat. of 11 H. 4. c. 1. justices of assise shall inquire of undue returns of knights of the parliament.

The knights chosen for the parliament, and sheriffs of counties, may have their traverse of an office found against them.

dred pounds, to be paid to our said lord the King. (8) And moreover, that the knights so unduly returned shall lose their wages of the parliament in old times accustomed; (9) to the great mischief of sheriffs and knights of the shire, which be forebarred and put out of their answer against such inquests of office taken before the said judges, because of the statute and ordinance aforesaid; (10) our

lord the King willing in this case to provide remedy, hath ordained and established, That all the Knights of the shires chosen for this present parliament, and the sheriffs of the same counties against whom any inquests or offices of undue election be found before the justices of assises, shall have their answer and traverse to such inquest of office taken; (11) and also all the knights from henceforth so to be chosen, and the sheriffs that shall make such elections, shall have their answer and traverse to such inquests and offices before any justices of assises hereafter to be taken; (12) and the said knights and sheriffs shall not be endamaged unto our said lord the King, or his successors, for any such inquest taken or to be taken, until they be duly convicted according to the form of the law.

3 H. 6. c. 7.

gavez de parlement auncienment accoustumez a tresgrand meschief dez viscountz & chivalers des countees qi sount forbarrez & ousteez de leur respounce encountre tielx enquestes doffice prizez devaunt les ditz justices a cause de les statut & ordeignauce suifditz nostre seignur le Roy voillant en ceo cas purvoir de remedie ad ordeigne & estable qe toutz les chivalers des countees pur cest present parlement esluz & les viscountz dicelles countees envers queux aucuns enquestes ou offices de noun due election sont trovez devaunt les justices daffises aient leur respounses & travers envers les ditz enquestes & offices et auxi toutz les chivalers desore enavaunt issint a esliers & les viscountz qi feront tielx elections aient leur respounce & travers envers tielx enquestes & offices devaunt aucuns justices des assises desore apprendre. Et ne soient les ditz chivalers & viscountz en damages envers nostre dit seignur le Roy ou ses successours par aucun tiel enquest pris ou apprendre tanqe il soient duement convictez selonc la forme de la ley.

CAP. V.

Several commissions of sewers shall be granted. The form of the commission.

Commissions of sewers shall be granted during ten years,

ITEM, our sovereign lord the King, by the advice and assent aforesaid, considering the great damage and losses, which now late be happened by the great inundation of waters in divers parts of the realm,

ITEM nostre tressoverein seignur le Roy de ladvys & assent suifditz considerantz les grandes damagez & perdes qore tarde sount avenuz par les grandes creteines del eawe en diverses parties du roialme &

& qe plusours greindres damages sont verisemblablement avenir si remedié ne soit hastivement purveu ad ordine & graunte qe par dys ans prochainement ensuantz severalx commissions de sewers soient faitz as diverses persones par le chaunceller dEngleterre pur le temps esteant a nomers en toutz les parties de roialme qe mestier sera solonc la fourme ensuant : &c.

realm, and that much greater damage is very like to ensue, if remedy be not speedily provided, hath ordained and granted, (1) That during ten years next ensuing several commissions of sewers shall be made to divers persons by the chancellor of *England* for the time being, to be sent into all parts of the realm where shall be needful, according to the form that followeth :

(2) *HENRY*, by the grace of God King of *England*, &c. The form of To his well beloved and faithful *A. B. C.* and *D.* greeting. the commiss- Know ye, That whereas the walls, ditches, gutters, sewers, tion of sewers. bridges, causeys, and wears by the coasts of the sea, and ^{23 H. 1. c. 5.} marsh, within the coasts and limits of *Lindsey* in the county of *Lincoln*, by the rage of the sea flowing and reflowing, and trenches of fresh waters by divers places descending to the sea, be so decayed and broken, that many inestimable damages for default of reparation of the same walls, ditches, gutters, bridges, causeys, and wears, in times past have happened there, and yet it is to be feared that much more hurt within short time will happen, unless that some speedy remedy be provided therefore: (3) We for as much as by reason of our regal dignity we Commission- be bounden to have regard to the safety of our realm of *England* ers shall en- in all places, willing in this behalf to provide convenient and quire of the speedy remedy, have assigned you, &c. of which, &c. we will to annoyances, be one, our justices to survey the walls, ditches, gutters, sewers, and by whose default they bridges, causeys, wears, and trenches, (4) and to enquire by Inquiry who happened. the oath as well of knights, as other good and lawful men of bath lands, the said county, as well within liberties as without, by whom common, the truth of the matter may be best known, by whose default such or fishing damages have there happened, and who doth hold lands and te- there, and nements or hath any common of pasture or fishing in those who may have parts, or else in any wise have, or may have the defence, pro- annoyances, fit, and safeguard, as well in peril nigh, as from the same far or benefit by off, by the said walls, ditches, gutters, sewers, bridges, cau- the repair of seys, and wears, and also hurt or commodity by the same trench- them. es, (5) and there to distrain all them for the quantity of their Distraining for repara- lands and tenements, either by the number of acres, or by tions. their plow lands, for the rate of the portion of their tenure, or for the quantity of their common of pasture or fishing, together with the bailiffs of liberties, and other places of the counties and places aforesaid, to repair the said walls, ditches, gutters, sewers, bridges, causeys, and wears, in the places necessary, and the same or other, as often and where shall be needful to make of new, and to cleanse the said trenches in places necessary, and if need be to stop them up: (6) so that no tenants of lands or te- nements

None shall be
spared that
may receive
benefit or loss.
5 Co. 100.
10 Co. 141.
4 Mod. 350.

Taking the
account of
the collectors.

Distraining
for the ar-
rearages of
the collection.
Making of or-
dinances for
the defence of
the sea-banks.

Taking of la-
bourers to
work in the
reparations.

Punishment
of them which
do neglect or
refuse to re-
pair their
proportion
assigned.

The sheriffs
and jurors
shall be at-
tendant upon
the commis-
sioners of
sewers.

nements, nor any having common of pasture or fishing, rich or poor, nor other of what condition, state or dignity, which have or may have defence, commodity and safeguard by the said walls, ditches, gutters, sewers, bridges, causeys, or wears, or else any hurt by the said trenches, (whether they be within liberties or without) shall in any wise be spared in this: (7) and for assignments upon the sea banks for preservation of the said parts, according to the number of the acres or perches by you, &c. of whom, &c. we will to be one, newly to number, and as often and where shall need of new to make. (8) And to depute certain diligent and true keepers for the said preservation, and to hear the account of the collectors of the money which shall be levied for this cause, and to be spent in the reparation and amendment of the said walls, ditches, gutters, sewers, bridges, causeys, and wears, and stopping of the said trenches. (9) And to distraint by you, &c. of whom, &c. we will to be one, or by other whom ye shall thereto depute for the arrearages of such collection, as often as need shall be, and as ye shall think meet, (10) and to make and ordain necessary and convenient statutes and ordinances for the defence and safety of the said sea banks and marshes, and the parts adjoining, according to the laws and customs of *Romney* marsh, and to hear and determine according to the laws and custom of our realm of *England*, and the custom of *Romney* marsh, all and singular the premises, as well at our suit, as the suit of any other that will complain before you in this behalf: (11) and to take and put in the said works and reparations, as many ditchers and other workmen and labourers for the said workmanship and reparations, as may suffice for the great, speedy, and instant necessity, upon competent wages to them in this behalf to be paid. (12) And therefore we command you, That at certain days and places which you, &c. of whom, &c. we will to be one, thereto shall appoint, ye shall survey the said walls, ditches, gutters, sewers, bridges, causeys, wears and trenches, and all and singular the premises do and accomplish, and hear and determine in form aforesaid: (13) so that for default of reparation of the said walls, ditches, gutters, sewers, bridges, causeys and wears, and stopping of the said trenches, no hurt nor peril shall in any wise happen. (14) And that ye compel all them whom ye shall find negligent or stubbornly denying to do reparation, or making of their portions, speedily to reform and amend the same by distresses and amerciaments, and other ways and means which to you shall best seem for such defaults: (15) and that ye cause all things which by you shall be ordained in this behalf, as well within liberties as without, firmly to be observed, doing therein as to justice pertaineth, according to the law and custom of our realm of *England*, saving to us the amerciament and other things thereof to us pertaining. (16) We have also commanded our sheriff of the said county, that at certain days and places which you, &c. of whom, &c. we will to be one, shall give him to know, he shall cause to come before you, &c. of whom, &c. we will to be one, so many

1429.]

Anno octavo HENRICI VI.

III

many and such good and lawful men of his bailliwick, as well within liberties as without, by whom the truth of the matter in the premises may best be known and enquired. In witness whereof, &c. Witness, &c.

8 H. 6. c. 3.
23 H. 6. c. 9.
6 H. 8. c. 10.
3 Jac. 1. c. 14.
7 An. c. 10.

C A P. VI.

All merchants may ship merchandise in Melcomb haven, and carry them to Calais.

ITEM, it is ordained by the authority of the same parliament, That every merchant, as well denizen as alien, may freely and safely ship wools, leather, woofels, and other merchandises of the staple, in the port of *Melcomb*, in the county of *Dorset*, and from thence to bring them to the staple of *Calais*, paying the customs and subsidies due to the King. And that no merchant be impeached, molested, nor grieved by the King nor his heirs, for any shipping of the merchandise aforesaid in the said port, any statute, ordinance or proclamation made to the contrary notwithstanding.

Ex edit. Rast.
Melcomb
port.
Staple.

Statutes made at *Westminster*, Anno 8 HEN. VI.
and Anno Dom. 1429.

AD omnipotentis Dei & sancte matris ecclesie laudem & honorem christianissimus dominus noster *Henricus* Dei gratia Rex Anglie & Francie & dominus Hibernie illustris in parlamento suo apud *Westm'* in crastino sancti *Mathei* apostoli anno regni sui octavo tento de avisamento & assensu prelatorum procerum & magnatum regni sui Anglie & ad specialem requisitionem ac de assensu communitatis ejusdem regni in parlamento predicto existentium quedam statuta & ordinationes pro communi utilitate dicti regni & presertim pro bona & sana gubernatione ac debita legis executione habend' in eodem fecit in forma subsequenti.

TO the laud and honour of almighty God, and of the holy mother the church, our most noble christian lord *Henry*, by the grace of God King of England and France, and lord of Ireland, in his parliament holden at *Westminster* the morrow after *St. Matthew* the apostle, the eighth year of his reign, by the advice and assent of the prelates and great men of his realm of England, and at the special request and assent of the commons of the same realm, being in the said parliament, hath made certain statutes and ordinances for the common profit of the said realm, and especially for the good and wholesome government and due execution of the law to be had in the same, in the form following.

CAP.

CAP. I.

The clergy of the convocation shall have such liberty as the great men and commonalty which come to the parliament.

The clergy coming to the convocation, shall have such liberties as they which come to the parliament.

FIRST, because the prelates and clergy of the realm of England, called to the convocation, and their servants and familiars that come with them to such convocations, oftentimes and commonly be arrested, molested, and inquieted; (2) our said lord the King, willing graciously in this behalf to provide for the security and quietness of the said prelates and clergy, at the supplication of the same prelates and clergy, and by the assent of the great men and commons afore said, hath ordained and established, That all the clergy hereafter to be called to the convocation by the King's writ, and their servants and familiars, shall for ever hereafter fully use and enjoy such liberty or defence in coming, tarrying, and returning, as the great men and commonalty of the realm of England, called or to be called to the King's parliament do enjoy, and were wont to enjoy, or in time to come ought to enjoy.

5 H. 4. c. 6.

11 H. 6. c. 11.

IN primis quia prelati & clerus regni Anglie ad convocationem evocati eorumque servientes & familiares qui cum eisdem ad convocationem hujusmodi veniunt sepius ac frequenter arrestantur molestantur & inquietantur volens igitur dictus dominus noster Rex pro securitate & quiete dictorum prelatorum & cleri in hac parte prospicere gracie ad supplicationem eorundem prelatorum & cleri & de assensu procerum magnatum & communitatis predictorum ordinavit & statuit quod vocandi in futurum ad convocationem cleri pretextu brevis regii eorumque servientes & familiares eadem libertate sive immunitate veniendo expectando & redeundo plene gaudeant & utantur perpetuis futuris temporibus qua gaudent & gaudere consueverunt sive gaudere debent in futurum proceres sive magnates & communitas regni Anglie ad parliamentum domini regis vocati sive vocandi.

CAP. II.

No merchants of England shall enter into the dominion of the King of Denmark, but at Northbarn.

Ex edit. Raft.

ITEM, because that the King's most dear uncle the King of Denmark, Norway, and Sweden, (as the same our sovereign lord the King of his intimation hath understood) considering the manifold and great losses, perils, hurts and damage, which of late happened, as well to him and his, as to other foreigners and strangers, and also friends and special subjects of our said sovereign lord the King of his realm of England, by the going in, entering, and passage of such foreign and strange persons into his realm of Norway and other dominions, streights, territories, jurisdictions, and places, subdued and subject to him, especially

especially into his isles of *Finmark* and elsewhere, as well in their persons as in their things and goods, for eschewing of such losses, perils, hurts and damages, and that such like (which God prohibit) should not hereafter happen, the said uncle of our said sovereign lord the King hath ordained and statuted, That all and singular strangers, as well *Englishmen* and other, willing to apply by ship and come into his realm of *Norway* and other dominions, streights, territories, jurisdictions, isles and places aforesaid, with their ships, to the intent to get or have fish, or any other merchandises or goods, shall apply or come to his town of *Northbarum*, where the said King of *Denmark* hath specially ordained and established his staple for the concourse of strangers, and especially of *Englishmen*, to the exercise of such merchandises, granting to the said *Englishmen*, that they shall there enjoy in and by all things the same favour, privileges and prerogatives, which they of the *Hanse* did enjoy: therefore our said sovereign lord the King, willing the love, affinity, and amities to be firmly observed, which betwixt his said uncle and his noble progenitors of good memory, their realms, lands, dominions, streights, territories, jurisdictions, and their said places, and the same our sovereign lord the King, and his noble progenitors of famous memory; his great men, subjects, realms, lands, and dominions, hath been of old times hitherto continued, nor nothing by our said sovereign lord the King or his people to be attempted or done, whereby such amities, by reason of any dissentions, enmities or discords might be broken, by the advice of the lords spiritual and temporal, and of the commons of his said realm of *England* assembled in this present parliament, hath ordained, prohibiting that none of his liege people nor subjects of his realm of *England*, by audacity of their folly, presume to enter the realms, lands, dominions, streights, territories, jurisdictions and places of the said King of *Denmark*, against the ordinances, prohibition and interdiction of the same his uncle above remembered, and in contempt of the same, upon pain of forfeiture of all their moveable goods, and imprisonment of their person at the King's will.

Rep. 1 H. 3. c. 1.

CAP. III.

Commissioners of sewers may execute their own ordinance.

ITEM nostre seignur le Roi considerant coment au darrein parlement tenuz a Westm' lan de son roialme fistme ordeine & grante estoit par auctorite du dit parlement qe severa^{lx} commissi^ons de sewers serroient faitz as diverses persones par le chaunceller dEngleterre pur le temps esteant a nomerz en toutz les parties de roialme ou mestier serroit souz certain

ITEM, our lord the King 6 H. 6. c. 5. considering how at the last parliament holden at Westminster, the sixth year of his reign he did ordain and grant, by authority of the said parliament, That several commissions of sewers should be made to divers persons by the chancellor of England for the time being, to be named, in all parts of the realm where shall be needful, under a certain form in the

The commis-
sioners of
sewers shall
have power to
execute their
ordinances.

*the said ordinance and grant con-
tained; (2) by which ordinance
and grant the said commissioners
had no power nor authority to do,
perform, nor execute the things
comprised within the said commis-
sions; (3) and therefore he*
hath ordained and established,
by authority of this parliament,
That all such commissioners
shall have power to do, ordain,
and execute the statutes, ordi-
nances, and other affairs to be
made according to the effect
and purport of the said com-
missions.

*certein forme en les ditz ordi-
nance & grante contenuz par
quelles ordinance & grante les
ditz commissioners navoient
poair ne auctorite de fair par-
fourner ne deexecuter les cho-
ses comprises deinz les ditz
commissions & pur ceo ad or-
deine & establie par auctorite
de ceste present parlement qe
toutz tielx commissioners aient
poair pur fair ordiner & execu-
ter estatuits ordinances & au-
tres affairz solonc leffect &
purport dez commissions a-
vaunt ditz.*

C A P. IV.

*Nene shall buy nor wear a livery to have maintenance in any
quarrel.*

Ex edit. Rast.
Livery of
cloth or hats.

ITEM, whereas it is ordained by divers statutes made in the
times of the King's noble progenitors, that no Knight, nor
other of less estate shold give any livery of cloths or hats to
other than to his menials, and his officers and men learned in
the one law or the other, upon the pain of an C s. to be levied
of the giver, and xl s. of the taker, as often as they do the con-
trary, and he that would sue, should have the one half of the
pain after that they thereof be duly convicted, and that the jus-
tices of assises, and justices of peace in every county of *England*
should have power from time to time in their sessions, to en-
quire of the said matters, and them to hear and determine, as
in the said statutes and ordinances fully appeareth, which sta-
tutes and ordinances have not been duly kept, because that they
that do contrary to the said statutes and ordinances, before the
said justices may not be indicted, for great maintenances in this
behalf: our sovereign lord the King, willing to expel such
maintenances, hath ordained by the authority aforesaid, That
the said justices shall have power by the same authority, as well
at the King's suit as the parties, to award writs of attachment
and distress against all them, which from henceforth do the
contrary of the said statutes and ordinances, in the counties
where they hold their sessions, directed to the sheriffs of the
same counties, returnable before the same justices or justice for
the time being in their sessions. And if the said sheriffs return,
that they against whom such writs issued, have nothing, then a
Capias and *Exigent* shall be awarded against them, in the man-
ner as shall be done against them that be indicted before justi-
ces of peace of trespasses done with force and arms against the
King's peace. And if they appear at any of the said writs, the
said justices shall have power by authority aforesaid to examine
them of the matters aforesaid. And they whom they find by
examination, that have done the contrary of the said statutes
and

and ordinances, shall incur the pain comprised in the same statutes, that is to say, the giver an C s. and the taker xl s. as often as they do the contrary, in the manner and form as they ought if they were by inquest duly before the said justices convicted, so that the said statutes and ordinances extend them (as to examination) to liveries for to be given against the form of the said statutes thereof made before this time, after the feast of *Christmas* next coming. Provided, That the said ordinances extend as well in the counties of *Chester* and *Lancaster* by the examination and process as aforesaid, of the justice of *Chester* or his lieutenant there, as by examination of the justices of the county of *Lancaster*, so to be made against all them which shall do the contrary of the said ordinances in time to come. Provided also, That all the statutes and ordinances before made and not repealed, of liveries of cloths, by lords given or to be given against the form of the said statutes, shall stand in the force. And that this statute extend not as to the execution of examination to the mayor and sheriffs of *London*, for the time that they shall be officers, serjeants of the law, at the time that they take the same estate upon them, and them that do commence in the universities within the realm of *England* at the time of their commencement, nor to them which for the time aforesaid shall take any such liveries of them. And also that all those that shall take any such liveries of cloths or of hats of any lord spiritual or temporal, or of any great lady in or of *England*, against the form of the said statutes, they shall be likewise examined and punished in the manner as they that take such liveries of knights or other of less estate as before. Provided always, That in the time of war it shall be lawful to the lords, knights, and esquires, that do travel in such war, to give their liveries of clothing or of hats to their soldiers, and in such wise as to them best shall seem. And that it shall be lawful to such soldiers to take and wear such liveries of clothing or of hats for the time of such war, without being in any wise molested in this part by force or virtue of the same statutes. And that moreover, if any person, of what estate or condition he be, after the said feast of *Christmas*, as of his own authority and proper costs do buy or wear for his clothing any cloths or hats called liveries, of the sort or of suit of any lord, lady, knight, esquire, or other person, for to have suppotation, succour, or maintenance in any quarrel, or in any other manner, if he be thereof duly convicted by examination or otherwise, before by the statutes declared, he shall incur the pain before limited of them that take liveries of lords or other persons aforesaid, and moreover shall have a whole year's imprisonment without being let to bail or mainprise, for their falsity and subtil imagination in this part.

Rep. 3 Car. 1.
c. 4.

CAP. V.

Every city and borough shall have a common balance and weight. Who may buy wool and yarn.

ITEM come par la grande
chartre des libertees du
roialme

ITEM, Whereas by the Great
Charter of the liberties of the
realm

9 H. 3. stat. 1. *realm of England, and by a statute made the twenty fifth year of King Edward the Third, it was ordained, and by a statute made in the thirteenth year of King Richard the Second, confirmed, That one weight and one measure should be through all the realm of England, as well out of the staple as within; (2) and in the same statute of the said noble King Edward, it is contained, that the weight called auncel, for the great hurt and subtilite deceits done by the same measure to the common people, shall be utterly left, and set apart, (3) and the wools, and all other manner of merchandises, and all other things weighable, bought or sold, shall be weighed by the balance, so that the tongue of the balance do not incline more to the one party than the other, with weights sealed, and according to the standard of the exchequer; (4) and he that doth contrary, to the damage of the seller, shall forfeit to our lord the King the value of the goods so weighed or measured; (5) and that the party complainant shall have his quatreble damages. (6) And by the said statute of the said noble King Richard, it was added, That the offender shall be imprisoned by two years, and make fine and ransom at the will of our lord the King; (7) and that the justices of peace should have power to inquire of the said defaults, as well at the suit of our lord the King, as the parties; (8) our lord the King, by the authority of this parliament, hath ordained and established, That the statutes and ordinances aforesaid shall be firmly kept and holden, and straitly executed.*

roialme & par estatuit fait lan xxvje. du Roy E. tierce ordine fuit & par estatuit fait lan xiiije. du Roi Richard le seconde confermee qe une pois & une mesure soit parmy tout le roialme sibien hors de lestaple come de deinz & en mesme lestatuit du dit Roi E. contenu soit qe le pois appelez auncell pur graundes damages & sotilx deceites faitz par icell a le commune poeple soit tout outrement lesez & qe lez lains & toutz manerz des choses poissables achatez ou venduz soient poisees par la balance issint qe la lange de balaunce nencline a lune partie ne a lautre ovesqe poises ensealez & accordantz a lestandard de lescheker et celuy qi face le contrarie al damage del vendour forface au Roy la value des biens ensi poisees ou mesurez et qe la partie compleignant ait sez damages au quatreble. Et par le dit estatuit du dit Roi Richard addez soit qe le trespasseur soit emprisonne par deux ans & face fyn & raunceon a la volunte le Roi et qe les justices du pees aient poair denquerer dez ditz defautes sibien al suite de Roi come de partie nostre seignur le Roi par auctorite de ceste parlement ad ordine qe lez ditz estatuitz soient fermement tenez & gardez & estroitment executz.

Et enoutre pur eschuer plusieurs graundes meschiefs qount avenuz deinz le dit roialme par lez ditz auncelles et especialment pur destruer la fauxtetee des regratoours du file appelez yernchoppers ordinez est par nostre dit seignur le Roi & par auctorite suisdite qen chescune citee burgh & ville du roialme soit une commune balance

lance avec communes poises ensealez & accordantz a lest-andard de leschequer sur la commune costage du dite cite burgh ou ville en la garde del mair ou constables dicell as queux balaunoes & communes poises toutz les enheritantz de mesme la citee burgh ou ville qi nount tielx poises & autres quont fils voillent puissent franchement poiser sanz rien ent paier preignant nientmeins dez foreins pur chescune trett dedeinz le pois de xl. li. i. qua' & pur chescun trett parentre xl. & C. li. i. ob. & pur chescune trett parentree C et m li. i. d. a le plus dont lez poises seront maintenuz & lofficer loialment posant regardez par la discretion des chiefs dicell citee burgh ou ville solone sa entendance a la dite occupation soit il plus ou meins. Et qe null homme achate file de laine appelle wollenyern fil ne voet'ent faire drap ne use pois ne mesure ne autre chose en lieu de pois ou mesure qe ne soit ensealez & accordant a le dit estandard ne mette aucun chose a icell par voie de pendure ou couverture ou en aucun autre maner qe puisse encreter la mesure ou le pois ou empедier la balaunce par avoir son naturell cours sur les forfaiture & peine desuidditz. Et qe les justices de pees mairs-bailifs & seneschalx des fraunchises aient poair par auctorite suisdite dexaminer les trespassours en qeo cas & pur enquerer en especial de toutz trespassours encountrecest ordinance & a fair execution diceux qi sont trouvez defectifs par enquestes ou par examination affair par lez ditz juges ou officer en ceo cas en maner come desuis est dit. Et qe ceste ordi-

ll. And moreover, for to eschew divers great mischiefs which have happened within the realm of *England* by the said auncel, and especially for to destroy the falsehood of the regrators of yarn, called *Yerne-Choppers*, (2) it is ordained by our said lord the King, by authority aforesaid, That in every city, borough, and town of the realm of *England*, a common balance shall be, with common weights sealed, and according to the standard of the exchequer, upon the common costs of the said city, borough, or town, in the keeping of the mayor or constable of the same; (3) at which balance and common weight, all the inhabitants of the same city, borough, or town, that have not such weights, and other that have, if they will, may freely weigh without any thing paying; (4) taking nevertheless of foreigners for every draught within the weight of xl. li. a farthing, and for every draught betwixt forty pound and an hundred pound, an halspenny, and for every draught betwixt an hundred pound and a thousand pound, a penny at the most; (5) whereof the weights shall be maintained, and the officer lawfully weighing rewarded by the discretion of the chief men of the city, borough, or town, according to his attendance to his said business, be it more or less. (6) And that no man buy yarn of wool, called woollen yarn, unless he will make cloth thereof, nor use weight nor measure, nor other using in the place of weight or measure, that is not sealed according to the said standard, nor set any thing

Regrators of yarn called Yerne chop-pers.

Every city, borough, and town, shall have a common balance and weights.

No man shall buy woollen yarn, unless he will make cloth thereof. Rep. 21 Jac. 1, c. 28.

* By way of
hanging or co-
wring.

thing to the same by the way of tacking or hiding*, or in any other manner that may increase the measure or weight, or let the balance to have his natural course, upon the forfeiture and penalty aforesaid.

(7) And that the justices of peace, mayors, bailiffs, and stewards of franchises, have power by authority aforesaid to examine the trespassers in this case, and to inquire in especial of offenders against this ordinance, and to do execution of them that be found faulty by inquests, or by examination to be made by the said judges or officers in this case, in the manner as afore is said.

The forfeiture
of a city or
town wanting
common bal-
ance and
weights.

9 H. 6. c. 6. & 8.
11 H. 6. c. 8.
21 H. 7. c. 4.

ordinance soit tenuz & observez de le fest de pasqe prochain ensuant pur toutz jours. Et qe chescun citee sur peine de x. li. chescune burgh sur peine de C. s. & chescune ville ou un constable est sur peine de xl. s. ait une commune balance avec poises accordantz a le dit estandard dedeeinz deux mois apres proclamation faite de ceste ordinance les quelles peines seront levez al oeps de Roi a tant de foitz qils seront trovez defectifs depuis la proclamation dessusdite.

(8) And that this ordinance be holden and observed from the feast of *Easter* next ensuing for ever. (9) And that every city, upon pain of ten pounds, every burrough upon pain of an hundred shillings, and every town where a constable is upon pain of forty shillings, have a common balance with weights according to the said standard, within two months after proclamation made of this ordinance; which penalty shall be levied to the use of our lord the King, as often as they shall be faulty after the said proclamation.

CAP. VI.

If any threaten by casting of bills to burn a house, if money be not laid in a certain place; and after do burn the house; Such burning of houses shall be adjudged high treason,

ITEM, forasmuch as our sovereign lord the King, at the grievous complaint to him made by the commons of this realm of *England* in the full parliament hath conceived, that divers great mischiefs and subtil felonies and robberies now late have been done in the town of *Cantsbridge*, and in other places in the county of *Kent*, and *Essex*, and in other places in the realm of *England*, by people offenders unknown, which make divers bills, directed to divers people of the same towns, counties, and other places of the realm of *England*, commanding them to put divers great sums of money in certain places, where the said offenders might lightly carry the same away, without being taken or perceived, certifying in the said bills, that if they put not the same money in the places by the said bills assigned at a certain day, that the said offenders would do the greatest and most outrageous vengeance that they might to all them that would not set such sums there. And for because that such sums have not been put in divers places, according to the purport of the same bills, many houses and goods and chattels of

Bills.

divers persons have been feloniously and traiterously at *Canterbury* and elsewhere in the counties and places aforesaid, burnt and utterly destroyed, whereby, the people and the towns, counties, and other places aforesaid, be greatly impoverished, and in point to be finally destroyed. The same our sovereign lord the King, willing in this case to provide remedy, hath ordained by authority of this parliament, That all such burnings of houses of any person, shall be judged high treason, And that this ordinance extend as well in such burnings made after the first day of the reign of our sovereign lord the King till this time, as to burnings to be made in time to come. Saving always to all lords and other persons their liberties and franchises as hath been done and used before this time, in case of forfeiture of felony.

Burnings of
houses.

Rep. 1 Ed. 6.

c. 12.

9 G. 1. c. 37.

C A P. VII.

What sort of men shall be choosers, and who shall be chosen knights of the parliament.

ITEM come les elections dez chivalers dez countees esluz a venir as parlements du Roi en plusieurs countees d'Engleterre ore tarde oint este faitz par trop grande & excessive nombre dez gentz demurantz deinz mesmes les countes dunt la greindre partie estoit par gentz sinon de petit avoir ou de null valu dount chescun pretende davoir voice equivalent quant a tielx elections faire ove les plus valantz chivalers ou esquiers demurantz deinz mesmes les countes dount homicides riotes batteries & divisions entre les gentiles & autres gentz de mesmes les countes verisemblablement sourdront & ferront si convenable remede ne soit purveu en celle partie nostre seigneur le Roy considerant les premisses ad purveu & ordene par auctorite de cest parlement qe les chivalers des countes deins le roialme d'Engleterre a esliers a venir a les parlements en apres a tenirs soient esluz en chescun counte par gentz demurantz & reschantz en icelles dount chescun ait frank tenement

ITEM, whereas the elections of knights of shires to come to the parliaments of our lord the king, in many counties of the realm of England, have now of late been made by very great, outrageous, and excessive number of people dwelling within the same counties of the realm of England, of the which most part was of people of small substance, and of no value, whereof every of them pretended a voice equivalent, as to such elections to be made, with the most worthy knights and esquires dwelling within the same counties, whereby manslaughter, riots, batteries, and divisions among the gentlemen, and other people of the same counties, shall very likely rise and be, unless convenient and due remedy be provided in this behalf; (2) our lord the King, considering the premisses, hath provided, ordained, and established, by authority of this present parliament, That the knights of the shires to be chosen within the same realm of England to come to the parliaments of our lord the King hereafter to be holden, shall be chosen in every county of the realm

The qualifications of the electors of the knights for the parliament.

1 H. 5. c. 1.

10 H. 6. c. 2.

What is required of the candidates.
6 H. 6. c. 4.
Altered by
10 H. 6. c. 2.

The sheriff impowered to examine the electors upon oath, touching their estates. Justices of assize to inquire of the returns of knights to parliament. Penalty on the sheriff for undue returns.
11 H. 4. c. 1.
23 H. 6. c. 15.
Rast. 446.

Knights falsely returned shall lose their wages.

realm of *England*, by people dwelling and resident in the same counties, whereof every one of them shall have free land or tenement to the value of forty shillings by the year at the least above all charges; (3) and that they which shall be so chose shall be dwelling and resident within the same counties; (4) and such as have the greatest number of them that may expend forty shillings by year and above, as afore is said, shall be returned by the sheriffs of every county, knights for the parliament, by indentures sealed betwixt the said sheriffs and the said choosers so to be made. (5) And every sheriff of the realm of *England* shall have power, by the said authority, to examine upon the evangelists every such chooser, how much he may expend by the year; (6) and if any sheriff return knights to come to the parliament contrary to the said ordinance, the justices of assizes in their sessions of assizes shall have power, by the authority afore said, thereof to inquire; (7) and if by inquest the same be found before the justices, and the sheriff thereof be duly attainted, that then the said sheriff shall incur the pain of an hundred pounds, to be paid to our lord the King, and also that he have imprisonment by a year, without being let to bail or mainprise; (8) and that the knights for the parliament returned contrary to the said ordinance, shall lose their wages.

Provided always, That he which cannot expend forty shillings by year, as afore is said, shall in no wise be chooser of the knights for the parliament; (2) and that in every writ that shall hereafter go forth to the

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ment a le valu de xl. s. par an al meins outre les reprises & que ceux qui seront ensy esluz soient demurrantz & reseantz deins mesmes les countes & ceux qui ont le greindre nombre de yceulx qui poient expendre par an xl. s. & outre come depuis est dit soient retournez par les viscountz de chescun countee chivalers pur le parlement par indentures ensealles parentre les ditz viscountz & les ditz eslisours ent affaires. Et eit chescun viscont d'Engleterre poair par auctorite suisdite examiner sur les seintz evangelies chescun tiel elisour come bien il poet expendre par an & si aucun viscount retourne chivalers pur venir au parlement au contrarie de ycest ordinance que les justices des assises en lour sessions des assises aient poar par auctorite suisdite de ceo enquerer. Et si par inquest ceo soit trove devaunt mesmes les justices & le viscount de ceo duement atteint qadonqz le dit viscounte encourage la peine de C. li. a paiera a nostre seigneur le Roy & auxi qil ait imprisonment par un an saunz estre lesséz au baille au mainprise & que les chivalers pur le parlement au contrarie la dite ordinance retournez perdent lour gages.

Purveu toutfoitz que celluy qui ne poet expendre xl s. par an come depuis est dit ne soit en aucun manere eslisour des chivalers pur le parlement. Et que en chescun brieve que issira en apres as viscounts purelier chivalers pur le parlement soit mention fait des ditz ordinances.

sheriffs

sheriffs to choose knights for the parliament, mention be made of the said ordinances.

CAP. VIII.

The statute of 6 HEN. VI. c. 3. confirmed, touching the wages of labourers, servants, artificers, and workmen.

ITEM, whereas in the last parliament a good and notable ^{Labourers.} statute was ordained of labourers, servants, artificers, and workmen, how much they and every of them should take by the year, half year, day, or week, and of other things comprised in the same statute and ordinance, which now be expired, because that they were not ordained to endure but to the next parliament then after to be holden. Our sovereign lord the King, considering that the said statute and ordinance was in other time made for the weale and common profit of the realm of England, and that they should be much profitable to the same realm, if they might endure and be observed, hath ordained by authority of this parliament, that the said statute and ordinance be holden and kept, and put in due execution till the King hath otherwise declared his will in the full parliament. ^{Rep. 5 Eliz. c. 4.}

CAP. IX.

The duty of justices of peace where land is entered upon or detained with force.

ITEM come par le Roy Richard nadgairs Roi d'Engleterre puis le conquest seconde a son parlement tenuz a Westm' lendemain des Almes lan de son reign xvme entre autres choses ordinez estoit & establiez que les estatutz & ordonances faitz & nient repellez de ceux qi fount entrees ove fort main en terres tenementz ou autres possessions qe conqs & lour teignent eins ove force & auxi de ceux qi fount insurrections riotes routes chivaches ou assemblees en distourbance de la peas ou de la commune ley ou en affraie del poeple ferroient tenuz & plenement executes. Et outre ceo ordine est par mesme lestatutz qe toutz les soitz qe tiels forcibles entrees soient faitz & pleint ent veigne as justices de peas ou aucun deux qe mesme les justices ou justice preignent ou preigne poair del countee & voient ou voise

ITEM, whereas by the noble ^{The statute of} King Richard late King of 15 R. 2. c. 2. England, after the conquest the touching forcible entries rehearsed and confirmed. ^{15 R. 2. c. 2. touching forcible entries rehearsed and confirmed.} Second, at his parliament bolden at Westminster the morrow after All-Souls, the fifteenth year of his reign, amongst other things, it was ordained and establisshed, ^{4 Co. 48. Hob. 94. Hawk. Pl. Cr. c. 64.} That the statutes and ordinances made, and not repealed, of them that make entries with strong hand into lands or tenements, or other possessions whatsoever, and them hold with force, and of them that make insurrections, riots, routs, ridings, and assemblies, in disturbance of the peace, or of the common law, or in affray of the people, should be bolden and fully executed. (2) And moreover it is ordained by the same statute, That at all times that such forcible entries be made, and complaint thereof come to the justices of peace, or any of them, that the same justices or justice shall take the power of the county, and shall go, or one of them

them shall go, to the place where such force is made; (3) and if they find, or he findeth, any holding such place forcibly, after such entry made, they should be taken and put in the next gaol, there to remain convicte by the record of the same justices or justice, until they have made fine and ransom to the King; (4) and that all the people of the county, as well sheriffs as other, shall be attending to the said justices, and to assist them to arrest such malefactors, upon pain of imprisonment, and to make fine and ransom to the King. And that in the same manner be done of them that make forcible entries into benefices or offices of holy church, as in the same statute is contained more at large.

The defects of the statute of 15 R. 2. c. 2. Palmer, 277.

II. And for that the said statute doth not extend to entries in tenements in peaceable manner, and after holden with force, nor if the persons which enter with force into lands and tenements, be removed and voided before the coming of the said justices or justice, as before, nor any pain ordained if the sheriff do not obey the commandments and precepts of the said justices for to execute the said ordinance, many wrongful and forcible entries be daily made in lands and tenements by such as have no right, and also divers gifts, feoffments, and discontinuances sometimes made to lords, and other puissant persons, and extortioners within the said counties where they be conversant, to have maintenance, and sometimes to such persons as be unknown to them so put out, to the intent to delay and defraud such rightful possessors of their right and recovery for ever, to the final disherison of divers of the King's faithful liege people, and likely daily to increase, if due remedy be not provided

voile al lieu ou tiel force soit fait & ils trouvent ou trouve aucuns teneantz tiel lieu forciblement apres tiel entre fait soient prizez & misez en prison en gaole a y demurer convicte de record de mesmes les justices ou justice tanqe ils eient faitz fyn & rancon au Roy, Et qe toutz gentz de counte sibien viscountz come autres soient entendantz as ditz justices de eux enforcier pur arrestier tiels malefaiseurs sur peine de imprisonment & de faire fyne & rancon au Roy. Et qe en mesme le manere soit fait de ceux qi fount forcibles entres en benefices ou office de seint eglise come en mesme lestatut est contenez plus au plein.

Et pur taunt qe le dit estatut n'estendemy as entres en tenementz en paisible manere & apres tenuz ove force ne si les personnes qentront ove force en terres ou tenementz soient remoevez & voided devant le venu des ditz justices ou justice come devant ne null peine ordine si le viscount ne obeie my les maundementz & precepts des ditz justices pur executier lordinance susdit plousours torcenouses & forcibles entres sount faitz de jour en autre en terres & tenementz par ceux qi droit nount. Et auxi diverses douns feoffementz & discontinuances ascun soit faitz as seignurs & autres persones puissantz & extortioners deins les countes ou ils sount conversantz pur maintenance avoir & aucuns soitz as tiels personnes enly oustez disconuz a tiel content pur delaier & defrauder tiels droiturelx possesseurs de leur droit & recoverer a toutz jours a final disheritefon de plousours des foials lieges de Roi

Roy & semblable est dencrefcer de jour en autre si du remedie ne soit purveu. celle partie. Nostre seigneur le Roy considerant les premisses ad ordene qe le dit estatut & toutz autres estatutz de tiels entres ou alienation devaunt faitz soient tenuz & duement executez ajoutant a icelle qe si desore en ayaunt aucun face tiel forcible entre en terres tenementz ou autres possessions ou eux tiegne forciblement apres compleint ont fait deins mesme le counte lou tiel entre soit fait as justices de peas ou un de eux par la parte greve qe les justices ou justice ensy garny deins temps convenable facent ou face duement executer le dit estatut & peo as costages del partie ensy greve.

Et outre ceo coment qe tielx personnes faisantz tiel entre soient presentz ou voidez devaunt la venu des ditz justices ou justice nientmeins mesmes les justices ou justice en aucun bone ville plus prochein as tenementz ensy entrez ou en aucun lieu convenable solonc lour discrecion eient & chescun de eux ait autorite & poair denquerer par gentz de mesme le countee auxibien de ceux qi fount tielx forcibles entrees en terres & tenementz come de ceux qi eux teignent ove force. Et si treuve soit devaunt aucun deux qe aucun face le contrarie de cest estatut adonqs les ditz justices ou justice facent ou face reseier les terres & tenementz ensy entrez ou tenuz come devaunt & mettre la partie ensy ouste en plein possession de mesme les terres & tenementz come devaunt entrez ou tenuz. Et si aucune persone apres tiel entre en terres ou tenementz

vided in this behalf: (2) our lord the King considering the premisses, hath ordained, That the said statute, and all other statutes of such entries or alienations made in times past, shall be holden and duly executed; (3) joined to the same, That from henceforth where any doth make any forcible entry in lands and tenements, or other possessions, or them hold forcibly, after complaint thereof made within the same county where such entry is made, to the justices of peace, or to one of them, by the party grieved, that the justices or justice so warned, within a convenient time shall cause, or one of them shall cause, the said statute duly to be executed, and that at the costs of the party so grieved.

III. And moreover though that such persons making such entry be present, or else departed before the coming of the said justices or justice, notwithstanding, the same justices or justice in some good town next to the tenements so entered, or in some other convenient place, according to their discretion, shall have, or either of them shall have, authority and power to inquire by the people of the same county, as well of them that make such forcible entries in lands and tenements, as of them which the same hold with force; (2) and if it be found before any of them, that any doth contrary to this statute, then the said justices or justice shall cause to reseise the lands and tenements so entered or holden as afore, and shall put the party so put out in full possession of the same lands and tenements so entered or holden as before. (3) And if

The office and duty of justices of peace when any forcible entry is made into lands, or peaceable entry, and after detaining with force. Carthew, 49.

The remedy where any person entering by force doth aliene the same land to have maintenance. 1 R. 2. c. 9. Co. 118. 11 Co. 65.

any

any person, after such entry into lands or tenements holden with force, make a feoffment or other discontinuance to any lord or other person, to have maintenance, or to take away and defraud the possessor of his recovery in any wise, if after in assise, or other action thereof to be taken or pursued before justices of assises, or other the King's justices whatsoever, by due inquiry thereof to be taken, the same feoffments and discontinuances may be duly proved to be made for maintenance, as afore is said, that then such feoffments, or other discontinuance, so as before made, shall be void, frustrate, and holden for none.

The justices precept to the sheriff to return a jury to inquire of forcible entries.

Juror to have 40 s. per Ann.

The sheriff's penalty for omitting his duty.

IV. And also when the said justices or justice make such inquiries as before, they shall make, or one of them shall make, their warrants and precepts to be directed to the sheriff of the same county, commanding him of the King's behalf to cause to come before them, and every of them, sufficient and indifferent persons, dwelling next about the lands so entered as before, to inquire of such entries, (2) whereof every man, which shall be impanelled to enquire in this behalf, shall have land or tenement of the yearly value of forty shillings by year at the least, above reprises. (3) And that the sheriff return issues upon every of them at the day of the first precept returnable xx. s. and at the second day xl. s. and at the third time C. s. and at every day after, the double. (4) And if any sheriff or bailiff within a franchise, having return of the King's writ, be slack, and make not execu-

tenez ove force face feoffement ou autre discontinuance a aucun seigneur ou autre persone pur maintenauce avoier ou pur toller & defrauder le possesseur de la recoverer en aucun maner si apres en assise ou autre action ent destre prise ou pursuez devant justices des assises ou autres justices le Roy qiconqs par due enquerre ent apprendre purra duement estre prove mesmes les feoffementz & discontinuances estre faitz pur maintenauce come desuis est dit qe adonques tielx feoffementz ou autre discontinuance ensy come devant faitz soient voidiez irritez & tenuz purnulle.

Et auxi quant les ditz justices ou justice ferrent tielx enquerrez come devant facent ou face lour garrantz & precepts directz al viscount de mesme le counte luy comaudant depart le Roy de fair venir devant eux & chescun deux persones suffisiantz & indifferentz pluis proacheins demurantz entour les tenementz ensy entrez come devant denquerer de tielx entrees dont chescun qi sera empanelle denquerer en celle partie ait terre ou tenement de annuel value de xl. s. par an au meins outre les reprises. Et qe le viscount retourne issues surchescun deux au jour de primer precept retornable xx. s. & al seconde jour xl. s. & al tierce soit C. s. & au chescun jour apres le double. Et si aucun viscount ou bailly deinz franchise aiantz retourne de brieve du Roy soit lacche & ne face duement execution des ditz preceptz a luy directz pur tielx enquerrez faire qil forface devers le Roy xx. li. pur chescun default & oultre face syn & rounceon au Roy.

Et

Et qe auxbien les justices ou justice avantditz come les justices des assises a lour venir en pais pur assises prendre eient & chescun de eux ait poair doier & terminer tielx defautes & negligences des ditz viscontz & baillifs & chescun de eux aux ibien par bille al suite del partie greve pur luy mesme come pur le Roy a suier come par enditement a prendre pur le Roy soulement. Et si le viscount ou baillly soit duement atteint en celle partie par enditement ou par bille qe celuy qi sue pur luy & pur le Roy eit une moitee de la forfaiture de xx. li. enfablement ove ses costages & expences. Et qe mesme la processe soit fait vers tielx enditees ou suez par bille en celle partie sicome serroit vers enditez ou suez par brieve de trespass fait ove force & armes encoutre la peas du Roy.

Et outre ceo si aucun persone soit oustre ou disseise dascuns terres ou tenementz ove forcible manere ou ouste peissiblement & apres tenuz dehors ove forte main ou apres tielle entre aucun feoffement ou discontnuance en aucune manere eit soit fait pur defrauder & toller le droit del possessour qe la partie greve en celle partie eit assise de novell disseisine ou brieve de trespas vers tiel disseisour. Et si la partie greve recovere par assise ou par action de trespas & trove soit par verdit ou en autre manere par due forme en ley qe la partie defendant entra ove force en terres & tenementz ou euz par force apres son entree tiendra qe le pleyntif recovers ses damages au treble vers le defendant & outre ceo quil face syn & rauncoun au Roy. Et qe mairs justices

tion duly of the said precepts to him directed to make such inquiries, that he shall forfeit to the King xx. li. for every default, and moreover shall make fine and ransom to the King.

V. And that as well the justices or justice aforesaid, as the justices of assises, and every of them, at their coming into the country to take assises, shall have, and every of them shall have, power to hear and determine such defaults and negligences of the said sheriffs and bailiffs, and every of them, as well by bill at the suit of the party grieved for himself as for the King, to sue by indictment only to be taken for the King.

(2) And if the sheriff or bailiff be duly attainted in this behalf by indictment, or by bill, that he which sueth for himself and for the King have the one moiety of the forfeiture of xx. li. together with his costs and expences. (3) And that the same process be made against such persons indicted or sued by bill in this behalf, as should be against persons indicted or sued by writ of trespass done with force and arms against the peace of the King.

VI. And moreover, if any person be put out, or disseised of any lands or tenements in forcible manner, or put out peaceably, and after holden out with strong hand; or, after such entry, any feoffment or discontinuance in any wise thereof be made, to defraud and take away the right of the possessor; that the party grieved in this behalf shall have assise of *Novel disseisin*, or a writ of trespass against such disseisor. (2) And if the party grieved recover

What action may be had against him who doth put out, or keep him out of possession with force. Savil. 68. 10 Co. 116. 11 Co. 39.

recover by assise, or by action of trespass, and it be found by verdict, or in other manner by due form in the law, that the party defendant entered with force into the lands and tenements, or them after his entry did hold his force, that the plaintiff shall recover his treble damages against the defendant;

The authority of the chief officers in cities, &c. to repress force. Inforced by 31 El. c. 11.

They may keep their land by force, who have had three years possession. Co. Lit. 257. Salk. 356. Regist. 289. 5 R. 2. stat. 1. c. 7. 4 H. 4. c. 8.

(3) and moreover, that he make fine and ransom to the King. And that mayors, justices or justice of peace, sheriffs, and bailiffs of cities, towns, and boroughs, having franchise, have in the said cities, towns, and boroughs, like power to remove such entries, and in other articles aforesaid, rising within the same, as the justices of peace and sheriffs in counties and countries aforesaid have.

VII. Provided always, That they which keep their possessions with force in any lands and tenements, whereof they or their ancestors, or they whose estate they have in such lands and tenements, have continued their possessions in the same by three years or more, be not endangered by force of this statute.

C A P. X.

Process awarded against those which dwelling in foreign counties be indicted or appealed.

Inforced by 10 H. 6. c. 6. 3 Inst. 31. The inconveniences of indicting or appealing any person in one county that is conversant in another.

ITEM, our lord the King considering how divers persons for their private revenge, and not of right, maliciously by subtle imagination have caused and procured many of his faithful liege people falsely to be indicted and appealed of several treasons, felonies, and trespasses, before justices of the peace, and other commissioners and justices, and others having power to take indictments or appeals in divers foreign counties, liberties, and franchises of England, in which the said lieges be not, nor at any time were, conversant nor dwelling; (2) by force of which indictments and appeals, and the processes upon them made in the said

stices ou justice de peas viscountz & baillifs des citees villes & burghs aiantz franchise eient en les ditz citees villes & burghs autiel poair de tielx entrees oustier & en autres articles desuisdites emergentz deinz ycelles come ount les justices de peas & viscountes en countees & pais suisdites.

Purveu toutz foitz que ceux qui gardent par force leur possessions en ascuns terres ou tenementz dount ils ou leur aunchestres ou ceux queux estat ils ount en tiels terres & tenements ount contenuz leur possessions en ycelles par trois ans ou pluis ne soient my endammagez par force de celle estatut.

ITEM nostre seigneur le Roy considerant coment diverses persones pur leur singuler vengeance & nient de droit maliciousment par sotile ymagination ount faitz & procurez de fauxment enditer & appeller diversez de sez foialx lieges de diverses treasons felonies & trespass deuant justices de peas & autres commissioners & justices & autres aiantz poair de prendre enditementz ou appelles en diverses foreins countees libertees & fraunchises dEngleterre es queux les ditz lieges ne sont ne unques feussent conversantz ne demurantz par force des queux inditements &

& appellez & les processees sur eux faitz en les ditz countees fraunchisez & libertees les ditz perones ensy enditez ount este & de jour en autre sount mys en exigent & puis utlagez & sur ceo lour biens & chateux terres & tenementz forfaitz & eux en grande perile de lour vies la ou les ditz perones ensy enditez appelez ou mys en exigent ou utlagez navoient unqs conissance de tielx enditementz appelez exigentz ne utlagaries les queux fauxine & malice de jour en autre habundent & encrefcent en divers countees libertees & fraunchises d'Engleterre en graunt a-nientement perde & perpetuell destruction de plufors de sez ditz foialx & innocentz lieges & verisemblable est dencrefcer en apres si remedie covenable ne soit ordeine & purveu en celle partie.

Et pur ceo mesme nostre seigneur le Roy de sa grace especiale & par auctoritee de cest parlement pur ease salvation & tranquillite de sez foialx lieges de cest roialme ad fait ordiner & establir qe sur chescun enditement ou appelle par la quelle aucuns des ditz lieges demurantz en autres countees qe la ou tiel enditement ou appell soit ou serra pris de trefon felonie & trespais apprendre en apres devaunt justices de peas ou devaunt aucun aiant poair de tielx enditementz ou appelle prendre ou autres commiffioners ou justices en aucun countee franchise ou libertee d'Engleterre devaunt aucun exigend' agarde sur aucun enditement ou appelle en la forme avaunt dite apprendre que maintenant apres le primere brieve de capias sur chescun tiel enditement

said counties, franchises, and liberties, the said persons, so indicted have been, and daily be put in Exigent, and after outlawed, and thereupon their goods and chattels, lands and tenements forfeit, and they in great jeopardy of their lives, whereas the said persons so indicted, appealed, or put in Exigent, or outlawed, had never knowledge of such indictments, appeals, Exigents, or outlawries; (3) which falsehood and malice daily doth abound and increase in divers counties, liberties, and franchises of England, in great hindrance, loss, and perpetual destruction of many of his said faithful and innocent liege people, and very likely to increase hereafter, if convenient remedy be not ordained and provided in this behalf.

II. And therefore the same our lord the King, of his special grace, and by authority of this parliament, for ease and tranquillity of his faithful lieges of this realm, hath caused to be ordained and stablished, That upon every indictment or appeal by the which any of the said lieges dwelling in other counties than there where such indictment or appeal is or shall be taken of treason, felony, and trespais, to be taken hereafter before the justices of peace, or before any other having power to take such indictments or appeals, or other commiffioners or justices in any county, franchise, or liberty of England, before any exigent awarded upon any indictment or appeal in the form aforesaid to be taken, that presently after the first writ of *Capias* upon every such indictment or appeal awarded and returned, that another writ of *Capias* be award-

Process upon indictments of persons dwelling in foreign counties.
10 H. 6. c. 6.

awarded, directed to the sheriff of the county, whereof he which is so indicted is or was supposed to be conversant by the same indictment, returnable before the same justices or commissioners before whom he is indicted or appealed at a certain day, containing the space of three months from the date of the said last writ, where the counties be holden from month to month; and where the counties be holden from six weeks to six weeks, he shall have the space of four months, until the day of the return of the same writ; (2) by which writ of second *Capias*, be it contained and commanded to the same sheriff, to take him which is so indicted or appealed, by his body, if he can be found within his bailiwick; (3) and if he cannot be found within his bailiwick, that the said sheriff shall make proclamation in two counties before the return of the same writ, that he which is so indicted or appealed shall appear before the said justices or commissioners in the county, liberty, or franchise where he is indicted or appealed, at the day contained in the said last writ of *Capias*, to answer to our lord the King, or to the party, of the felony, treason, or trespass, whereof he is so indicted or appealed; (4) after which second writ of *Capias* so served and returned, if he which is so indicted or appealed come not at the day of the same writ of *Capias* returned, the *Exigent* shall be awarded against such persons indicted or appealed, and every of them.

III. And if any *Exigent* hereafter be awarded upon any such indictment or appeal against the

ditement ou appelle agarde & retourne qe un autre brieve de *Capias* soit agarde directe al viscount del countee dount celly qi est ensy enditez est ou fuist suppose destre conversant par meisme lenditement retournable devaunt mesmes les justices ou commissioners devaunt queux il est endite ou appelle a un certain jour contenant la space de trois mois de la date du dit darrein brieve ou les countes se teignent de mois en mois & la ou les countees sont tenuz desys sepmaines en syssepmaines ait l'espace de quatre mois tanqal jour de retourne de meisme le brieve par quel brieve de seconde *Capias* soit contenuz & comaunde a meisme le viscount de prendre celuy qi est ensy endite ou appelle par son corps fil poet estre trouve deins sa baille. Et fil ne poet mye estre trouve deins sa baillie qe le dit viscount face proclamation en deux countees devaunt le retourne de meisme le brieve qe celuy qest ensy endite ou appelle appierge devaunt les ditz justices ou commissioners en le countee libertee ou franchise ou il est endites ou appelez al jour contenu en le dit darrien brieve de *Capias* a respondre a nostre dit seigneur le Roy & au partie de sa felonie trefon ou trespasse dount il est ensy enditez ou appelez apres quel second brieve de *Capias* ensy servy & retournee si celuy qi est ensy enditez ou appelez ne veigne al jour de meisme le brieve de *Capias* retourne soit exigend' agardez envers tielx endites ou appelez & chescun de eux.

Et si ascun exigend' enapres soit agarde sur ascun tiel enditement ou appelle coudre la forme

forme avaunt dite ou ascun utlagarie sur ceo pronunciez soit sibien cell exigend' enfy agarde come la utlagarie sur ceo pronuncie & chescun de eux tenuz pur null & void e et qe la partie sur qi tiel exigend' encountre la forme avaunt dite soit agarde ou utlagarie pronuncie ne soit endamage ne mys a perde de ses biens ou chatieus terres ou tenementz ne de sa vie.

Purveu toutz soitz qe le statut fait en le darrein parlement des processés affairs en tielx cas devaunt le Roy en son bank estoise en sa force. Et en outre mesme nostre seignur le Roy ad grantee par auctoritee susdite qe chescun enditez ou appelle en la forme avaunt dite de cy enavaunt apres ceo qil soit par verdit duement acquitee qil eit brieve & action sur son cas envers chescun procurour de tielx enditementz ou appelez et soit autiele processe sur & en mesme le brieve come en brieve de trespas fait ove force & armes et si tiel procurour soit atteint en celle partie qe le pleintif recovere sez damages au treble.

Purveu toutz soitz qe cest ordinance ne se extende mye as enditementz ou appelez prizez ou apprendrez deinz le countee de Cestre.

Purveu auxi qe si ascun des ditz lieges ou ascun de lour heirs soit ou ferra appelle ou enditez de felonie ou trefon & au temps de mesme le felonie ou trefon supposez est ou feust conversant deinz le countee dount lenditement ou appelle fait mention qe autielle processe soit fait vers tiel endite ou appelle come ad este use devaunt ces heurs.

the form aforesaid, or any outlawry be upon that pronounced, as well the *Exigent* so awarded, as the outlawry upon that pronounced, and every of them, shall be holden for none and void; (2) and that the party upon whom such *Exigent* against the form aforesaid is awarded, or outlawry pronounced, be not endamaged, nor put to loss of his goods or chattels, lands or tenements, nor of his life.

IV. Provided always, That the statute made in the last parliament, of processes to be made in such case before the King in his bench, stand in his force. (2) And moreover, the same our lord the King hath granted by authority aforesaid, That every person indicted or appealed in the form aforesaid from henceforth, after that he be duly acquit by verdict, that he shall have a writ and action upon his case, against every procurer of such indictments or appeals; and like process shall be upon and in the same writ, as in a writ of trespass done with force and arms; (3) and if such procurer be attainted in this behalf, that the plaintiff shall recover his treble damages.

V. Provided always, That this ordinance shall not extend to indictments or appeals taken or to be taken within the county of *Chester*.

VI. Provided also, That if any of the said lieges, or any of their heirs, be or shall be appealed or indicted of felony or treason, and at the time of the same felony or treason supposed, he is and was conversant within the county whereof the indictment or appeal maketh

6 H. 6. c. 1.
An action upon the case maintainable by the party indicted or appealed against the procurer of the same.
Rast. 123.

A man indicted or appealed in the county where he is conversant shall be prosecuted as formerly.

mention, the like process be made against such person so indicted or appealed, as hath been used always before this time.

CAP. XI.

The citizens of London may take apprentices according to their ancient customs.

Ex edit.
Pulton.
The ancient
liberty and
custom of the
citizens of
London,
touching
taking of
apprentices.

ITEM, It is shewed to our lord the King by the said commons for the mayor and aldermen and commons of the city of *London*, that whereas among other franchises, liberties and customs to them by the same our lord the King and his noble progenitors granted and confirmed, it is contained, That the manner and form of taking apprentices within the said city of old time used and continued, be kept and observed: (2) And where it is also there used by the customs of the same city of time out of mind continued and approved in the same, that every person which was not of villain estate or condition, but of free estate and condition, might put himself, his son or daughter to be apprentice to any freeman of the same city, to learn his craft or mystery, and that likewise every freeman of the said city may take every such person, son or daughter to be his apprentice, without impeachment, (3) until now of late the said mayor, aldermen and commons, be and have been grievously vexed and inquired by colour of an article of the statute made at *Westminster*, the seventh year of the reign of King *Henry* the Fourth, rehearsing by general words, That no man nor woman put their son nor daughter to be apprentice within any city or town of the realm of *England*, except that he have land or rent to the value of twenty shillings by year, and that by testimony under the seals of the justices of peace, nor that any shall receive a prentice to the contrary, upon a grievous penalty limited in the said statute.

The citizens
of London
may take
apprentices
according to
their old
custom, not-
withstanding
the statute of
7 H. 4. c. 17.
which is Rep.
by 11 H. 7.
c. 11. 5 Eliz.
c. 4.

II. Our lord the king, considering the great hindrance which by the said statute might redound to the inhabitants of the said city, if they should be thereby restrained of their said liberties and customs, and how in the beginning of the same statute it is contained, That the said city of *London* have and enjoy all her liberties, franchises and customs that be not contrary to the said article, and also respecting the entire affections, and great kindness done and shewed to our said lord the King in all his affairs by the citizens of the said city of *London*, and to encourage them the more to such affections and kindness hereafter, by the advice and assent aforesaid, hath ordained by the authority of this parliament, That the said ancient manner, form and custom of putting and taking of apprentices, used and continued in the said city of *London*, be from henceforth kept and observed, as long as it shall please our said lord the King, without being for that impeached, or to incur the pain contained in the said statute.

CAP. XII.

No judgment or record shall be reversed for any writ, process, &c. rased. What defects in records may be amended by the judges, and what not.

ITEM nostre seigneur le Roy ad ordine & estable par auctorite de cest present parlement qe pur erreur assigne ou assigner en aucune recorde processe garraunt dattourne brief original ou judicial panell ou retourne en aucuns lieux dicelx rasez ou entrelinez ou en aucun addition subtraction ou diminution des paroles lettres titles ou parcelles des lettres troves en aucun tiel recorde processe garraunt dattourne brief panell ou retourne queux rasures entrelinez addition subtraction ou diminution al discretion des juges le Roy des courtes & places en queux les ditz recordes ou processe par briefe derroul ou autrement sont certifiez appiergent suspectz ne soit aucune juggement ne recorde reverse ne adulle.

Et qe les juges le Roy des courtes & places en queux aucun recorde processe parole plee garraunt dattourne brief panell ou retourne pur le temps soit eient poair dexaminer tielx recordes processe paroles plees garrauntz dattourne brief panell & retourne par eux & leur clerks & de reformer & amender en affermance des juggementz de tielx recordes & processe tout ceo qe a eux en leur discretion semble estre mespriesion de clerk en tielx recordes processe parole plee garraunt dattournee brief panell & retourne forsprie appelez enditementz de trefon & des felonies & lutlagaries dicelles & la substance de propres nouns sur nouns

ITEM our lord the King hath ordained and established by the authority of this present parliament, That for error assigned, or to be assigned, in any record, process, or warrant of attorney, original writ or judicial, panel or return, in any places of the same rased or interlined, or in any addition, subtraction, or diminution of words, letters, titles, or parcel of letters, found in any such record, process, warrant of attorney, writ, panel, or return, which rasings, interlinings, addition, subtraction, or diminution, at the discretion of the King's judges of the courts and places, in which the said records or process by writ of error, or otherwise, be certified, do appear suspected, no judgment nor record shall be reversed nor adulled.

II. And that the King's judges of the courts and places in which any record, process, word, plea, warrant of attorney, writ, panel, or return, which for the time shall be, shall have power to examine such records, process, words, pleas, warrants of attorney, writs, panels, or return, by them and their clerks, and to reform and amend (in affermance of the judgments of such records and processes) all that which to them in their discretion seemeth to be mispriesion of the clerks in such record, processes, word, plea, warrant of attorney, writ, panel, and return; (2) except appeals, indictments of treason and of felonies,

No judgment nor record shall be reversed nor avoided for any writ, return, process, &c. rased or interlined. Dyer, 105, 180, 225, 332, 260, 342. 5 Co. 45. 8 Co. 158, &c. Cro. Jac. 119. Cro. Car. 271.

The judges may reform all defects in records which be mispriesion of the clerk. 14 Ed. 3. stat. 1. c. 6. 9 H. 5. c. 4. 8 H. 6. c. 15. 4 Mod. 6. 247.

What defects in records may not be amended.

27 El. c. 5.

1 H. 5. c. 5.

Variance alleged between a record and the certificate thereof, shall be by the judges amended.

Embezzling of a record, whereby any judgment shall be reversed, is felony.

3 R. 2. c. 4.

3 Co. 160.

lonies, and the outlawries of the same, and the substance of the proper names, surnames, and additions left out in original writs and writs of exigent, according to the statute another time made the first year of King *Henry* father to our lord the King that now is, and in other writs containing proclamation; (3) so that by such misprision of the clerk no judgment shall be reversed nor annulled. (4) And if any record, process, writ, warrant of attorney, return, or panel be certified defective, otherwise than according to the writing which thereof remaineth in the treasury, courts, or places from whence they be certified, the parties in affirmance of the judgments of such record and process shall have advantage to alledge, that the same writing is variant from the said certificate, and that found and certified, that the same variance shall be by the said judges reformed and amended according to the first writing.

III. And moreover it is ordained, That if any record, or parcel of the same writ, return, panel, process, or warrant of attorney in the King's courts of chancery, exchequer, the one bench or the other, or in his treasury, be willingly stolen, taken away, withdrawn, or avoided by any clerk, or by other person, because whereof any judgment shall be reversed; that such stealer, taker away, withdrawer, or avoider, their procurators, counsellors, and abettors, thereof indicted, and by process thereupon made thereof duly convicted by their own confession, or by inquest to be taken of lawful men, whereof,

nouns & additions entrelessez en briefs originalx briefs exigent solonqe lestatut autre soit fait lan seconde le Roi *Henry* pier nostre seigneur le Roi qor est & en autres briefs contenantz proclamation issint qe par tiel mesprision de clerk ne soit ascun juggedment reverse ne adnulle. Et si ascun recorde processe briefe garraunt dattourne retourne ou panell soit certifie defective autrement qe accordant a la scripture qe ent demoert en les tresorie courtes ou lieux dount ils sont certifiez eient les parties en affirmance des juggedmentz de tielx recorde & processe avauntage dalegger qe mesme la scripture est variaunt al dit certificate & ceo trove & certifie soit mesme la variaunce par les ditz juges reforme & amende accordant a dit primer scripture.

Et outre ceo est ordene qe si ascun recorde ou parcell dicel brief retourne panell processe au garaunt dattourne en les courtes le Roi de chauncellerie eschequer lun bank ou lautre ou en sa tresorie soit voluntierment emble emporte retreit ou avoide par ascun clerk ou autre persone a cause de quell ascun juggedment soit reverse qe tiel embour emportour retreieur & avoidour leur procuratours counseillours & abettours ent enditez & par processe sur ceo fait ent duement convictz par leur propre confession ou par enqueste apprendre des loialx hommes dount la moite soit des hommes dascun court de mesme les courtes & lautre moite dautres soient adjugez pur felons & encourgent la peine de felonie. Et qe les juges de les ditz courts de lun bank ou lautre eient poair doier & terminer tielx

tielx defeutes devaunt eux & dent faire punition come devaunt est dit.

Purveu toutz soitz qe si ascun tiel recorde processe brieve garaunt dattourne panell ou retourne ou parcell dicel soit a present ou en apres serra exemplifie en la chauncellerie le Roi soubz son graunde seal & tiel exemplification illeokes de recorde enrolle saunz aucun rasure en une mesme lieu en mesme lexemplification & lenrollement dicell qe alors pur null erreur assigne ou assigner en les ditz recordes processe brieves garaunt dattourne panell ou retourne en aucun lettre parole clause ou matier dicell variaunt ou contrariaunt a dite exemplification & lenrollement ne soit nulle juggement des ditz recordes & processe reverse ne adnulle.

whereof the one half shall be of the men of any court of the same courts, and the other half of other, shall be judged for felons, and shall incur the pain of felony. (2) And that the judges of the said courts of the one bench or of the other, have power to hear and determine such defaults before them, and thereof to make due punishment as afore is said.

IV. Provided always, That A record exemplified un-
if any such record, process, writ or warrant of attorney, panel, or return, or parcel of the same, be now, or hereafter shall be exemplified in the King's chancery under the great seal, and such exemplification thereof record inrolled without any raising in the same place in the exemplification and the inrollment of the same, that another time for any error assigned, or to be assigned in the said record, process, writ, warrant of attorney, panel, or return, in any letter, word, clause, or matter of the same varying, or contrary to the said exemplification and the inrollment, there shall be no judgment of the said records and process reversed or adnulled.

C A P. XIII.

There shall not be excepted in the protections of those that shall go with the King into France, assise of Novel Disseisin.

ITEM, forasmuch as our sovereign lord the King, by the assent of his sage council doth purpose with the aid of God, to pass into his realm of *France*, the same our said sovereign lord, by the advice of the lords spiritual and temporal, and also of the commons of this present parliament, to eschew the disherisons of all persons, which be or shall be retained with our said sovereign lord the King, to abide in his service, in the parts beyond the sea, hath ordained and provided, That every protection to be made with the clause of *Volumus*, for any of the same persons, there shall be contained in the clause of exception in the same omission of these words, *Assis nove disseisine*. And that all these protections be allowable and allowed for them and every of them in all the King's courts and elsewhere, where such protections be put forth for any such person, in all pleas of assises as well of *Novel disseisin* as fresh force without any difficulty. Provided always, That the judgments to be given from henceforth in such assises arraigned or to be arraigned, be

Entry.

not prejudicial to any of the said persons so abiding in the King's service beyond the sea, as afore is said, which have any thing in reversion or in remainder in such lands or tenements, where such assises be or shall be arraigned, if they which have in reversion or in remainder in such lands or tenements, be not named in the same assises, but that they be against them all void: And that this statute shall endure for two years next following, if the same our said sovereign lord the King abide so long in the parts beyond the sea. Provided also, That all the entries made or to be made after the first day of this present parliament, be not comprised in this present ordinance. And that none, which hath made or shall make any such entries after the said first day of this parliament, have any benefit of the same ordinance.

CAP. XIV.

Riotous persons committing of felonies, and then fleeing into secret places.

H. 5. stat. 1.
c. 9.

Riotous persons commit murders, man-slaughters, robberies, &c. and then flee into secret places.

ITEM, for that great and grievous complaint was made to King Henry, late King of England, father to our lord the King that now is, at his parliament holden at Leicester the second year of his reign, by the commons of his parliament aforesaid, of divers murders, manslaughter, robberies, batteries, assemblies of people in great number in manner of insurrections, and of divers other rebellions and riots; (2) and after such offences the said felons and offenders did flee and withdraw themselves to divers woods and secret places unknown, and elsewhere, to the intent and purpose to avoid the execution of the common law, and that they might not be brought to answer according to the process of the common law: (3) Whereupon the said late King considering the aforesaid complaint, by the advice and assent of the lords spiritual and temporal in the same parliament assembled, did ordain and stablish, at the request of the said commons, That if any after come into the chancery, and make complaint duly, that any such felon or offender as aforesaid hath fled or withdrawn himself to any such place, or elsewhere to the intent afore-

ITEM pur ceo qe grande & grevousse complaint fust fait a Roi Henri jadis Roi d'Engleterre pier nostre seigneur le Roi qorest a son parlement tenuz a Leycestr' lan de son regne seconde par les communes de son parlement avaut-dit de diverses murders homicides robories bateries assemblies dez gentz ea grande noumbre par maner d'insurrections & de diverses autres rebellions & riotes & apres tielx messaites les ditz felouns & mesaisours senfurent & retraherent as diverses boys & lieux covertez & disconuz & aillours a lentent & purpos de voider l'execution de la commune ley & quis ne serroient mesnez a respounce solonc proces de la ley sur qoy le dit nadgairs Roi considerant la suissdit compleint par assent des seignurs espirituelx & temporelx en mesme le parlement assemblez avoit ordinez & establiez a la request des ditz communes qe si ascun en temps avenir veigne en la chauncellerie & face compleint duement qe ascun tiel felon ou maleaisour come avaut est dit sen est fuy & retrahet

trahet a aucun tiel lieu ou ailleurs al entent suïsdit soit sur tiel compleint une bille suffisamment fait par le Roy et eït le chaunceller d'Engleterre pur le temps esteant apres tiel bille a luy lyvere fil poët estre enformez dument tiel bille contener verite poïr de faire solonc sa discretion un brief de Capias a la suite du Roy direct al viscont de countee ou countees ou les dites murders homicides roberies bateries & autres mesfaitz sount supposez par le dite bille estre faitz & perpetrez retournable en la dite chauncellerie a certeine jour. Et si les persones en le dit brief contenuz soient prisez par le dit viscount ou soy rendent en mesme la chauncellerie qadonques soient tielx persones mys en garde ou a maynprise solonc la discretion du chaunceller & outre soit maunde denquerer de tielx mesfaitz & sur ceo soit fait come la ley demaunde. Et si le viscount retourne a jour de Capias retournable qe les persones en icell comprisez par aucun de les causes suïsdites ne purront estre par luy prisez ne mesmes les persones ne soi rendent en la dite chauncellerie qadonques face le dit chaunceller fare brieve de proclamation direct a dit viscounte retournable en bank le Roi a certain jour qil face proclamation en deux countees qe les persones en le dit brief nomez veignent a dit jour en le suïsdit bank pur y respoudre a la matier compriz deinz la dite bille sur peyne destre convictez de la matier compriz deinz la dite bille et en chescun tiel brief de proclamation soit contenuz la substance de la matier compriz deins la dite bille & fils ne veignent

asore said, upon such complaint a bill shall be sufficiently made for the King. (4) And the chancellor of England for the time being, after such bill to him delivered, if he may be duly informed that such bill containeth truth, shall have power by his discretion to award a writ of Capias at the suit of our lord the King, directed to the sheriff of the county or counties where the said murders, manslaughters, robberies, batteries, and other offences be supposed by the said bill to be done and committed, returnable in the said chancery at a certain day; (5) and if the person specified in the said writ be taken by the said sheriff, or yield themselves in the same chancery, that then such persons be put in prison or to mainprise, according to the discretion of the chancellor; (6) and moreover it shall be commanded to inquire of such offences, and upon that shall be done as the law requireth. (7) And if the sheriff return at the day of the Capias returnable, that the persons in the same comprised, for any of the same causes asore said, cannot be taken by him, nor the same persons do yield themselves in the said chancery, that then the said chancellor shall cause to be made a writ of proclamation, directed to the sheriff, returnable in the King's bench at a certain day, that he make proclamation in two counties, that the persons named in the said writ come at the said day into the asore said bench, there to answer to the matter comprised in the said bill, upon pain to be convict of the matter comprised within the said bill; (8) and in every such writ of proclamation shall be contained the substance of the matter comprised in the said bill; (9) and if they come not at the day of such proclamation

Process awarded against the offenders.

mation returned, then they shall be holden and adjudged for convicted, and attainted as afore is said; (10) and if they come at the proclamation it shall be inquired of them, and done in the manner as afore is said. (11) Provided, That the suggestions of such riots be signified to the chancellor of England by letters sealed under the seals of two justices of the peace at the least, and the sheriff of the county where such riots shall be, before that such writ of Capias be granted; (12) in which writ of Capias the matter which is comprised within the same bill shall be as well expressed, as in the writ of proclamation thereof to be made. (13) And if such a case happen in the county palatine of Lancaster, or elsewhere in franchises where there is a chancellor and a seal, that then the said chancellor of England cause to be written or sent by the King's writ to the chancellor of such county or franchise, all the suggestion in the said bill comprised, commanding him to make such execution as in the said article is comprised; (14) So always that the King's writ out of the chancery of England shall not run in such county or franchise otherwise than hath been used in time passed, and that the said ordinance shall stand in his force till the end of the next parliament. (15) Our lord the King considering that divers other murders, manslaughter, robberies, batteries, assemblies of people in great number in manner of insurrections, and divers other rebellions and riots, have been made in divers counties of the realm since the making of the said statute, not punished, because that the said statute held no force but until the end of the parliament then next following; hath ordained and established

veignent a jour de tiel proclamation retourne soient adonques tenuz & adjuggez pur convictez & atteintez come desuis est dit. Et sils veignent a la proclamation soit de eux enquis & fait en la maner come desuis est dit. Purveu qe les suggestions de tielx riotes soient tesmoigne a le chaunceller d'Engleterre par lettres ensealez desoubz les sealx de deux justices de pees au meins & le viscounte del countee ou tielx riotes serrount devant ceo qe tiel brief de Capias soit graunte en quell brief de Capias soit sibien la matier expresse quele est compris deins mesme la bille come en le brief de proclamation ent affaire. Et si tiel cas aveigne en le counte palatyn de Lancast' ou aillours en fraunchise la ou il ad chaunceller & seal qadonques le dit chaunceller d'Engleterre face escriver ou envoier par brief du Roi a le chaunceller de tiel countee ou fraunchise tout la suggestion en la dite bille compriz commandant a luy de faire tiel execution come en le dit article est compriz issint tout soit qe brief du Roi hors de la chauncellar' d'Engleterre ne courge en tiel countee ou fraunchise autrement qe nad este usee en temps passe. Et qe la dite ordinaunce estoieroit en la force tanqe al fin del prochain parlement. Nostre seigneur le Roi considerant qe diverses murders homicides robories batteries assemblees des gentz en grande noubre par maner de insurrections & diverses autres rebellions & riotes ont este faitz en diverses parties du roialme puis la faisaunce de dit estatuit nient punisez a cause qe le dit estatuit ne tenoit force forsque

forſque a la fin del parlement adonques proſchen enſinant ad ordine & eſtablie par auctorite de ceſt preſent parlement qe le dit jadis eſtatuit ore ſoit tenuz & fermement gardez pur eſtatuit en tout temps avenir ſibien de murders homicides robories bateries aſſembles des gentz en graunde noumbre par maner de infurrections & de divers autres rebellions & riotes faitz & perpetrez devaunt le commencement de ceſt preſent parlement come en temps avenir.

Purveu toutz ſoit qe teſmoigne ſoit par deux juſtices de peas des countees ou tielx riotes ferront ſuppoſez qe commune fame & voice court en meſmes les countees de icelx riotes devaunt ceo qe le brief de Capias ſerra agarde. Purveu auxi qe ſi aſcun tiel caſe aveigne en le dit countee palatyn de Lancaſtre ou aillours en lieu enfranchiſe la ou y ad chaunceller & ſeal qe adonqes le dit chaunceller de tiel countee ou lieu enfranchiſe pur le temps eſteant apres complaint a luy duement fait & teſmoigne par juſtice ou lieutenant de juſtice & viſcount de tiel countee palatyn ou lieu enfranchiſe pur le temps eſteant en la forme ſuiſdit eit ſemblable poair de agarder Capiaz & briefs de proclamation avaunt ditz come le dit chaunceller d'Engleterre pur le temps eſteant ad.

bliſhed, by the authority of The ſtatute of this preſent parliament, That ^{2 H. 5. ſtat. 1. c. 9. of thoſe that do commit murder, &c. and after ſlee into woods, made perpetual.} the ſaid ſtatute ſhall now be kept, and firmly holden for a ſtatute for ever, as well of murders, manſlaughters, robberies, batteries, aſſemblies of people in great number in manner of infurrections, and divers other rebellions and riots made and committed before the beginning of this preſent parliament, as in time to come.

II. Provided always, That it be teſtified by two juſtices of the peace of the counties where ſuch riots ſhall be ſuppoſed, that the common fame and voice runneth in the ſame counties of the ſame riots, before that the writ of *Capias* ſhall be awarded. (2) Provided alſo, ^{A proviſion where any of the ſaid offences be committed in a place enfranchiſed.} That if any ſuch caſe happen in the ſaid county palatine of *Lancaſter*, or elſewhere in a place enfranchiſed, where there is a chancellor and a ſeal, that then the ſaid chancellor of ſuch county or place enfranchiſed, for the time being, after complaint to him duly made and teſtified by a juſtice, or the lieutenant of a juſtice, and ſheriff of ſuch county palatine or place enfranchiſed for the time being, in the form aforeſaid, ſhall have like power to award a *Capias* and a writ of proclamation aforeſaid, as the ſaid chancellor of *England* hath.

CAP. XV.

The juſtices may in certain caſes amend defaults in records.

ITEM ordeigne eſt & eſtablie qe les juſtices du Roy devaunt queux aſcune meſpriſion ou defeaute ſoit ou ſerra trove ſoit il en aſcun recordes & procesſes qore ſount ou ſerrount pendantz devaunt eux ſibien par

ITEM, it is ordained and eſtabliſhed, That the King's juſtices, before whom any miſpriſion or default is or ſhall be found, be it in any records and procesſes which now be, or ſhall be, depending before them, as well ^{8 Co. 163. The juſtices may in certain caſes amend defaults in records and procesſes.}

well by way of error as otherwise, or in the returns of the same, made or to be made by sheriffs, coroners, bailiffs of franchises, or any other, by misprision of the clerks of any of the said courts of the King, or by misprision of the sheriffs, under-sheriffs, coroners, their clerks, or other officers, clerks, or other ministers whatsoever, in writing one letter or one syllable too much or too little, shall have power to amend such defaults and misprisions according to their discretion, and by examination thereof by the said justices to be taken where they shall think needful. (2) Provided, That this statute do not extend to records and processes in the parts of *Wales*, (3) nor to the processes and records of outlawries of felonies, and treasons and the dependences thereof.

Processes in
Wales, and
outlawries.
14 Ed. 3. stat. 1.
c. 6.
9 H. 5. c. 4.
4 H. 6. c. 3.
8 H. 6. c. 12.

par voie d'erreur come autrement ou en lez retournez d'icelles faitz ou affaires par viscountz coroners bailiffs des franchises ou autres geconges par mesprision des clerks d'aucuns des ditz courtz du Roi ou par mesprision des viscountz sountzviscountz coroners leur clerks ou autres officers clerks ou ministres geconges en escrivant un lettre ou un filable trop ou trop poie aient poiar damender tielx defautes & mesprisions selonc leur discretion & par examination ent par les ditz justices apprendre ou leur semblera besoignable. Purveu qe cest estatut ne se extende as recordes & processes es parties de Gales ne as recordes & processes dutlagaries des felonies & trefons & les dependantz d'icelles.

CAP. XVI.

By what persons escheators shall find an office, and in what time he shall certify it. A patent made of lands seised upon an inquest.

An escheator, or commissioner, shall take no inquest, but by such persons as be returned by the sheriff. Rast. pl. 315.

ITEM, to eschew the dolours, grievances, and disberisons, which daily do happen to many of the King's liege people by the escheators, for that they take inquests, to inquire before them, as well by virtue of the King's writs, as of their offices, favourably and not duly, by people not impanelled nor returned to them by the sheriffs of the counties, and more often for their private gain, and for the disberison of the King's liege people, than for the profit of the same our lord the King, (2) and also for that the lands and tenements of many of the King's liege people be seised into the King's hands upon such inquests, or let to ferm by the chancellor or treasurer, before such inquests

ITEM pur eschuer lez dolours grievancez & disheretisons qi de jour en autre aveignent as plusours lieges nostre seigneur le Roy par les escheatours de ceo qils preignent enquestes denquerer devaut eux sibiens par vertue des briefs nostre seigneur le Roy come de leur office favourablement & nouva duement par gentz nient empanellez ne retournez a eux par les viscountz des countes & pluistost par leur propre gayne & pur disheretison des lieges nostre seigneur le Roy qe pur profit meisme nostre seigneur le Roy et auxi de ceo qe les terres & tenementz des plusours lieges nostre seigneur le Roy sont seiz

sez es mains nostre seigneur le Roy sur tielx enquestes & autres & lessiez par le chaunceller ou tresorer a ferme devaunt ceo que mesmes les enquestes soient retournes en la chauncellerie nostre seigneur le Roy est ordene par auctorite de cest present parlement que nul eschetour ne commissioner preigne aucune-ment aucun inquest denquerer sinon des gentz retournez & empanellez par le viscount en le counte deins quell il est eschetour ou commissioner. Et si aucun eschetour ou commissioner preigne enqueste des gentz qui ne sont mye enpanellez ne retournez par le viscount come desuis est dit & ent par examination ou autrement al fuite de partie que pur luy mesmes on pur le Roy ou autre persone qeconque voille pursuer soit convict duement pur chescun enquest ensy priz que encourage la peine & forfaiture de xl. li. a paiers cestassaver lun moite au Roi & lautre moite au partie a qui suyte il serra convict. Et que nulles terres ne tenementz seisez es mayns nostre seigneur le Roy sur enquestes prizez devaunt les eschetours ou commissioners ne soient aucune-ment lessiez ne grauntez a ferme par le chaunceller ou tresorer d'Engleterre ou autre officer nostre seigneur le Roi quiconque tanque que mesmes les enquestes & verditz soient retournez pleinement en la chauncellerie ou en leschequer mesdemoergent toutz tielx terres & tenementz entierment & continualment es mains nostre seigneur le Roy tanque les ditz enquestes & verditz soient retournes & par un mois apres mesme le retourue si ilssint ne soit que celuy ou ceux qui sente ou

inquests be returned in the chancery; (3) our lord the King hath ordained, by the authority of this present parliament, that no escheator or commissioner take in any wise any inquest to inquire, but of people returned and impanelled by the sheriffs in the county within which he is escheator or commissioner. (4) And if any escheator or commissioner take inquest of people which be not impanelled nor returned by the sheriff, as is afore said, and thereof by examination, or otherwise, at the suit of the party, which for himself or for the King, or any other person that will sue, be duly convict, for every inquest so taken that he incur the pain and forfeiture of xl. li. to be paid, that is to say, the one half to the King, and the other half to the party grieved, at whose suit he shall be convict. (5) And that no lands nor tenements seised into the hand of our lord the King, upon such inquests taken before the escheators or commissioners, be not in any wise let nor granted to ferm by the chancellor or treasurer of *England*, or any other the King's officer, until the same inquests and verdicts be fully returned in the chancery, or in the exchequer, (6) but all such lands and tenements shall intirely and continually remain in the hands of our lord the King, until the said inquests and verdicts be re-

When lands seised into the King's hands upon an inquest of office, shall be let to ferm. 18 H. 6. c. 6.

The lands shall be let to ferm to him that tendereth a traverse to the office. 36 Ed. 3. c. 13. H. 8. c. 10. and profer themselves 23 H. 8. c. 17.

and

36 Ed. 3. c. 13.

Escheators
and commis-
sioners shall
return an of-
fice found be-
fore them.
18 H. 6. c. 7.

7 H. 8. c. 8.

and then offer to take the same lands or tenements to ferm ; (7) and if they so do, that then the same lands or tenements be committed to them, if they shew good evidence, proving their traverse to be true, after the form of the statute made the thirty sixth year of King Edward the Third after the conquest, to hold until the issue taken upon the same traverse be found and discussed for the King, or for the party, finding sufficient surety to pursue the said traverse with effect, and to render and pay to our lord the King the yearly value of the lands whereof the traverse shall be so taken, if it be discussed for the King. (8) And if any letters patents of any of the lands or tenements be made to the contrary to any other person, or let to ferm within the said month, after the said month of return, they shall be holden for none. (9) And that the escheators or commissioners, upon pain of the forfeiture of xx. li. to be paid, that is to say, the one half to the King, and the other half to the party at whose suit he shall be convicted, return the inquest before them taken into the chancery of our lord the King, or into the exchequer, within a month next after the taking of the same. And every man which will sue for the King shall have the suit in this behalf. (10) Provided always, That this statute begin and take effect and force in the feast of *Easter* next coming, and not before, to endure for ever.

ou sentent eux grevez par mesmes les enquestes ou oustez de leurs terres ou tenementz veignent en la chauncellerie & soy proferont de traverser lez ditz enquestes & soy offeront de prendre mesmes les terres & tenementz a ferme. Et qe si issint fount qe adonques mesmes lez terres & tenementz soient commiz a eux fils montrent bones evidences provantz lour travers estra verrois solooc la fourme de lestatut fait lan xxxje le Ruy E. tiers puis le conquest a tenir tanqe lissue sur mesme le travers pris soit & discussu pur le Roy ou pur le partie trovant sufficient suerte de fuir le dit travers ove effect & de rendre & paier a nostre seigneur le Roy le annuel value des tenementz dont le travers ensi ferra priz sil soit discussu pur le Roy. Et si ascuns lettres patentz des ascuns terres ou tenementz soient faitz au contrarie a ascun autre persone ou lesez a ferme deins le dit moys apres le dit mois du retourne soient voides & tenuz pur nul. Et qe les eschetours & commissioners sur peine de forfaiture de xx. li. a paiers cestassavoir lun moite al Roi & lautre moite al partie a qi suyt il ferra convict retourner en la chauncellerie nostre seigneur le Roy ou en leschequer lez enquestes devaunt eux prises deins uu moys proscheyn apres la prise dicelles. Et eyt chescun qi voet suyr pur le Roy la suyte en cell partie. Purveu toutz soitz qe cest estatut commence & preigne effect & force en la fest de Pasqe proscheyn avenir a durer perpetuelment & nemye devaunt.

C A P. XVII.

Wools, fells, &c. shipped out of England, Wales, or Ireland, for any place but Calais, shall be forfeited by the double, except by merchants of Genoa, Venice, &c.

ITEM, whereas in the time of the King's noble progenitors, ^{Ex edit. Rast.} for the prosperity, profit, and wealth of the realm of *England*, ^{Staple of Calais.} and for the sustentation of the town of *Calais*, it hath been ordained by divers statutes and ordinances, That the staple should be wholly at the said town of *Calais*, and in none other place beyond the sea, that is to say, That all the wools, woolfels, leather, lead, and tin, and all other merchandises passing out of the said realm, and out of the lands of *Wales* and *Ireland*, ought wholly to pass and repair to the said staple, and to none other place, upon pain of the forfeiture of the same, except such merchandises, which in the said statutes and ordinances, be expressed and excepted, as in the same is more fully contained, the which statutes and ordinances, the ij. year of our sovereign lord ^{a H. 6. c. 4.} the King, that now is, were approved, affirmed, and ordained duly to be executed. Nevertheless as well under colour of exceptions in the said statutes, and ordinances contained, as by colour of licences granted by our sovereign lord the King, to divers persons, a great quantity of wools, woolfels, leather, lead and tin, and many other merchandises have been continually from time to time, and yet be carried and conveyed out of the realm, and of the said lands of *Wales* and *Ireland*, into *Flanders*, *Holland*, *Zealand*, *Brabant*, and other parts, not resorting to the said staple, as they ought to do, wherefore our sovereign lord the King is defrauded of the customs and subsidies, which ought to amount to notable sums to his increase, if he thereof were duly answered and content: And moreover the King's mint at *Calais* is like to be void, desolate, and destroyed, and the commodities also of the merchandises of the said realm, for the said causes, within short time to be greatly hindered, if remedy be not provided in this behalf: our sovereign lord the King considering the premisses, and willing in this case to provide a remedy, of the advice and assent aforesaid, by the authority of the said parliament, hath ordained, That no person ship nor do to be shipped from henceforth no manner wools, woolfels, leather, lead, and tin, whole nor shotten, nor the same carry nor convey out of any parts of the said realm, nor out of the lands of *Wales* nor *Ireland*, to none other parts beyond the sea, but only to the said staple of *Calais*, upon pain of forfeiture of the double value of the merchandise so carried or conveyed to any other parts than to the said staple of *Calais*, and also upon pain of imprisonment of his body for the space of two years, without bail or mainprise. And he which can spy any person from henceforth, which offending or doing in any wise contrary to this ordinance, and the same offence do present to the treasurer of *England* for the time being, and the trespassor thereof duly convict,

Berwick.

convict, or if such trespassor confels before the treasurer and the barons of the exchequer such trespasses by him done, That then he shall be convict by his own confession. And the presenter shall have for his labour the third part of the forfeiture of the merchandises carried or conveyed against this ordinance. Saving always that the merchants of *Genoa, Venice, Tuscany, Lombardy, Florence, and Catalonia*, may ship wools, woolfels, leather, lead, and tin in their ships, gallies, carracks, and other vessels, and to bring the same into their country towards the *West*, in manner accustomed before this time. Saving also to the burgesses of the town of *Berwick upon Tweed*, the privileges and benefits to them before this time granted, as in divers statutes thereof made is fully contained, notwithstanding this ordinance.

C A P. XVIII.

Certain ordinances made for the prices of merchandises, and maintenance of the town and mint at Calais.

Staple of Calais.

ITEM, our sovereign lord the King, considering certain articles ensuing, to be conceived and desired, as well for the profit and wealth of him and his realm universal, as for the good politick governance and supportation of the staple of *Calais*, by advice and assent of the lords spiritual and temporal, and also of the commons being in this present parliament, by authority of the same, hath granted the same articles to be kept and observed, to begin at the feast of the Purification of our Lady, next after the beginning of the said parliament, until the feast of the Annunciation of our Lady then next following, and from the same feast of the Annunciation to endure till the end of three years then next following after the form following, that is to say :

First, That the ordinance and appointment of late made to the said staple of *Calais*, upon wools, woolfels, and tin, be surely kept and observed in all these five points following, that is to say, That the price of the said wools, woolfels, and tin, be not abated, but augmented and put to greater increafe and advantage.

Item, That the whole payment be made in hand for the said wools, woolfels, and tin, in gold and silver without subtilty or collusion.

Bullion.

Item, That the bullion be brought to the mint to *Calais*, that is to say, for every sarpler of wools, whereof the weight of the sack is sold for xij. marks, six pounds, x. marks, v. li, viij. marks. iv. li. And the woolfels after the rate, to be forged in the King's coin.

Item, That every man that shall sell or do to be sold, any wools or woolfels at the staple of *Calais*, shall make a lawful and equal partition of the money of the same, with them which

which have the wools or woolfels of the same country from whence the wools or woolfels be, and with whom he is joined and associate to make partition, without fraud or mal-engine.

And also that at all times the merchants sellers, shall make acquittances to the merchants buyers, to be sealed under the seal to that ordained within the said staple, to the intent that no merchant seller shall from henceforth lend any manner of money to any merchant by him received of the wools or fells, but that the same money may be brought within the realm without subtilty or fraud. 11 H. 6. c. 13.

C A P. XIX.

If a mariner shall receive into his ship any merchandises, or carry them to any other place than to the staple at Calais, the goods and ship shall be forfeited.

ITEM, for as much as oftentimes divers mariners strangers of divers parts of *Flanders, Holland, Zealand, and Brabant*, in divers ports and creeks of the realm, take their ships and vessels, wools, woolfels, and other merchandises of the staple, which be trusted in tuns, pipes, barrels, sacks, fardels and otherwise, and the same privily do put and conceal in their vessels underneath wood, wheat, oats, rye, and in other manner, and so carry them into divers parts beyond the sea, to the King's great prejudice in diminishing of his customs and subsidies, and to the damage of all the liege people of his realm: our sovereign lord the King willing to eschew the said prejudices, and against such subtilties to provide remedy, hath ordained by the authority aforesaid, That no mariner stranger nor other mariner, that is like-
Staple of Calais.
Mariner.
 wife owner and master of one ship or vessel, shall take nor receive within *England, Wales, nor Ireland*, in his ship or vessel any manner of wools, woolfels, nor other merchandises of the staple, nor carry the same out of the realm to any parts beyond the sea, but only to the staple of *Calais*, except such which by the ordinance made, shall pass over the streights of *Marrok*, and that upon pain of forfeiture to the King of such ships and goods so found defective, as of the goods of the said mariners, being in the same ships or vessels. And that the mayor of the staple for the time being, shall have power and authority to make due search in this part. And the ships, goods, and mariners, if they be thereof found defective, for to be presented, and delivered to the King's council in *England*, by just relation thereof to be made by the said mayor or his deputy, he having for his reward the third part of the forfeitures by him presented and taken in the manner aforesaid.
Mayor of the staple.

CAP. XX.

No merchants of Calais shall buy beyond the sea any merchandise of the staple.

Dwellers in
Calais.

ITEM, for as much as the King is informed, That certain persons continually, inhabiting in the town of *Calais*, with merchants aliens of their affinity and consent, for their singular lucre, do imagine by subtil means to diminish the price of the commodities of this realm, which heretofore have been and yet be greatly used, in so much that when the merchants aliens ought to have repaired to the said town to buy wools and woolfels, they have been returned and withdrawn by the said inhabitants, so that the poor men have been let to sell their goods, and for great mischief they must of necessity sell their goods to the said inhabitants of *Calais*, which will not buy the same but greatly within their price, to the great hurt and hindrance of the sellers, and abatement of the price of the said commodities: the same our sovereign lord the King, willing thereupon to provide remedy, for his profit and the avail of his realm, hath ordained by the said authority, That from henceforth no merchant continually inhabiting within the said town of *Calais*, shall be suffered to buy beyond the sea, any manner of wools, woolfels, leather, lead, nor tin, nor other merchandise pertaining to the staple, upon pain of forfeiture of the same, as often as it may be proved.

CAP. XXI.

A repeal of all licences granted to men of Newcastle and Berwick, to carry merchandises to other places than to Calais. The penalty for carrying of merchandises of the staple into Scotland,

New-castle.
Berwick.

ITEM, for as much as a great noise runneth amongst men of *Newcastle* and *Berwick*, That if they should bring their wools to the staple of *Calais*, they should be undone and destroyed, where the contrary is truth, and may be proved, as the King is informed (for the mayor of the staple and his companions, will give to the said men of *Newcastle* and *Berwick*, for the quantity of their wools and woolfels, likewise as the King one year with another hath been answered with the custom and subsidy of the same, and as much as they have been sold for in *Flanders*, or in other places where they do repair, to be paid at reasonable terms in gold and silver to be brought into this realm, where not one penny cometh by them now: the same our sovereign lord the King, considering that by the licences of the said men of *Newcastle* and *Berwick*, great hindrance cometh to him of his customs and subsidies, and abatement of the price of the commodity of the realm, hath ordained by the authority aforesaid, that their said licences shall be repealed. And if any of evil will sell or carry any wools or woolfels, leather, lead, or other merchandise of the staple in defraud of the King, or hin-

drance of the commodity of his realm, into Scotland, that he shall forfeit the same goods, with the double value, and his body in prison by the space of a year. Scotland.

CAP. XXII.

What is requisite to be done in winding and packing of wool.

None shall force, clack, or beard any wool.

ITEM pur ceo qe graunt arerissement aveigne au Roy de sez custumes & subsidies par ceux qi clakkent & forcent les bones lains du roialme pur eux carier dehors dicell en estraunges paais ordinez est qe null estraunger ne face forcer clakker ne barder null maner des leins pur carier hors du roialme sur peine de forfaiture de mesmes lez lains ovesqe le double value dicell & demprisonement de son corps. Et qe null pakkur dez lains ne face delhs le dit roialme forsqe bone & due pakkure ne qe null face null inwynde deins la tesone des lains a lenrollement de ses lains ne mette en icell lokkes pelwooll tarre peers sablon terre ne herbe ne null autre ordeur & qiqe le face eit la partie qe se sente greve envers luy fa action a la commune ley de trespas & deceit.

ITEM, Forasmuch as great hindrance cometh to the King in his customs and subsidies by them that do clack and force the good wools of the realm, to carry them out of the same into strange countries; (2) it is ordained, That no stranger shall cause to be forced, clacked, nor bearded, any manner of wools, to carry them out of the realm, upon pain of forfeiture of the same wools, with the double value of the same, and of imprisonment of his body. (3) And that no wool-packer shall make within the realm, but good and due packing; (4) and that no man make any unwinding within the fleece of wools at the rolling up of his wools, nor put in the same locks, pelt-wool, tar, stones, sand, earth, grass, nor any dirt; (5) and if any do, he that feelth him grieved shall have his action at the common law of trespas and deceit.

What is requisite to be done in winding and packing of wool.

Ed. 4. c. 1.
23 H. 8. c. 17.

CAP. XXIII.

No thrums of woollen yarn shall be carried out of the realm.

ITEM pur taunt qe les textures deins le roialme sount & devaunt ces heours ount estez accoustumez quant ils ount overez un drap bien pres le fin de trencher a part a lour singular avantage les files qi demuront nient texez & les apellent thrommes a grande deceit de ceux as queux les dit draps sount & mesmes les thrommes vendout a tielx persones qe icelles amesnent en Flaundres & autres estraunges paais come

ITEM, because the weavers within this realm be and heretofore have been accustomed, that when they wrought a cloth near the end, to cut away for their private profit the thread which is left unwoven, and call the same thrums, and to the great deceit of the owners of the same cloths, they sell the same thrums to such persons which carry them into Flanders and other places, though the King have thereof no profit of custom nor subsidy: (2)

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for

for under the colour of such thrums divers persons, as well strangers as denizens, do ingross and gather in divers parts of the said realm, great quantity of woolen thread, called woolen yarn, and the same do carry to the said strange parts, and thereof make good cloths; (3) so that under this subtil colour the King is yearly greatly defrauded of his customs and subsidies, which ought to rise to him, if they were fully wrought within the said realm, or else if they were not wrought, but in wools brought to the staple of Calais: (4) wherefore it is ordained, That no man shall carry or convey out of the said realm, any manner of thrums, or woolen yarn under colour of thrums, upon pain to forfeit the double value of the same.

Neither thrums nor woolen yarn shall be carried forth of the realm.

23 H. 6. c. 3.

bone merchandise tut soit qe nostre seignur le Roy ent nad null profit de custume ne subsidee par desoubz le colour de tielx thrommes diverses personnes sibien estraungiers come deinzzeins engrocent & coillent es diverses parties du dit roialme graunde quantite des files des fines lains appelez wollenyarn & icelles amesment es dites estraunges parties & ent facent bones draps ency qe desoubz cest subtile colour nostre seignur le Roy est chescun an graundement defraudez de sez custumes & subsidees qe a luy devoient fourder fils feussent pleinement oeverez deinz le dit roialme ou autrement fils ne feurent oeverez mes en lains amefnez a le staple de Caleis. pur quoy ordinez est qe null homme ne carie ne amefne

hors du roialme null maner des thrommes ne files des lains appellez wollenyarn desoubz colour de thrommes sur pain de forfaiture de la double value dicell.

CAP. XXIV.

None shall pay merchants aliens in gold, but in silver, Merchandise shall not be sold to an alien but for present payment.

ITEM, *For that merchants aliens of late have taken in custum, that when they sell any of their merchandises to any person within the realm, they will not demand nor receive for any payment for the same any manner of silver, as they were wont, but only gold nobles, half nobles, and farthings which from time to time they do carry out of the realm into either strange countries, where they be changed to their increase, and forged into other coins, so that they gain in the alloy of every noble twenty pence, against the tenour of the statutes thereof made, and to the great prejudice of this whole realm.*

ITEM pur ceo qe les merchantz aliens jatarde ount prise en custume qe quant ils vendont ascuns de lour merchandises a ascun persone deins le roialme ils ne voillent demaunder ne receiver pur ascun paiement pur icell null maner dargent sicome ils soloient faire mes soulment or nobles dimi nobles & ferlyngs les queux de temps en temps ils amesment hors du roialme en autres estraunges paais lou ils soun chaungiez a lour encrece & forgez en autres coignes ensy qils gaignent en lallaie de chescun noble xxd. encontre le tenure des estatutz ent faitz a graunde pre-

II. Our

prejudice du Roi & de son royaume universell.

Nostre dit seigneur le Roi en ceo cas voillant purvoir de remedie ad ordeine qe null marchand alien ne ferra arter ne lier aucun des lieges du Roi par pact covenant ne liege de luy faire paiement en or pur nulle manere de dette qi a luy poet estre due ne refuse de recevoir paiement en argent pur aucun maner du tiel duete ou dette sur peyn de double value dicell. Et auxi pur eschuer le graunde perde qe divers personnes de cest roialme ount euz & sont semblablez davoir par leur apprestz faitz de leur merchandises as merchantz aliens quount ensueuz avec icelles & de jour en autre priegnent sanctuaries ordinez est qe null Englois ne vende deinz cest roialme ne face vendre de cest jour en avaunt a null marchand alien null maner de merchandises mes soulement pur prest paiement en monoye ou autrement en merchandises pur merchandises pur estre paieez & content en main sur peyne de forfaiture dicell.

II. Our lord the King will- No man shall
ling in this case to provide re- be compelled
medy, hath ordained, That no to pay gold to
merchant alien shall constrain a merchant
nor bind any of the King's alien.
liege people by promise, cove- 4 H. 7. c. 13.
nant or bond, to make him
payment in gold for any man-
ner of debt which to him may
be due, nor refuse to receive
payment in silver for any man-
ner of such duty or debt, upon
the pain of the double value of
the same. (2) And also to es-
chew the great losses which di-
vers persons of this realm of
England have had, and also be
likely to have, for their loans
made of their merchandises to
merchants aliens, which have
fled with the same, and daily
take sanctuaries, it is ordained,
that no *Englishman* shall sell
within this realm, or cause to
be sold hereafter, to any mer- No English-
chant alien, any manner of man shall sell
merchandises, but only for re- his goods to a
ady payment in hand, or else in merchant ali-
merchandises for merchandises, en, but for
to be paid and contented in prelent pay-
hand, upon pain of forfeiture ment, or other
of the same. merchandise.
9 H. 6. c. 2.

CAP. XXV.

The mayor of the staple of Calais shall continue two years in his office.

ITEM, for certain great and notable causes concerning the Ex edit. Rast.
honour of our sovereign lord the King, and the common
weal of all his realm: it is ordained by authority of this par-
liament, That the mayor of the staple of *Calais*, which now is,
shall stand in his office of mayor of the same staple, till the feast
of our Lady next ensuing, and from the said feast till the end
of two years then next following fully be fulfilled, notwithstanding
any statute or ordinance made to the contrary.

CAP. XXVI.

The penalty if in any action the defendant make default to put the lords, mayors, &c. from their jurisdiction.

ITEM ordinez est par au-
torite desusdite qe toutz
rieux d'assise & d'actions per-
sonelx.

ITEM, it is ordained by the The penalty
authority afore said, That if in assise or
in all writs of assises, and of personal ac-
actions, the de-

pendant make
default to
put the lords,
mayors, &c.
from their
jurisdiction.

actions personal, sued or to be sued before the King in his bench, justices of the common place, or any other the King's justices for the time being, of any lands or tenements, or of any thing being and rising within any seignory, franchise, or ancient demesne, whereof the cognisance or jurisdiction ought to pertain to any lords, mayors, bailiffs, citizens, burgesses, or commonalty of such seignories, franchises, or ancient demesne, that then if any defendant in any such assise, or other actions personal, make any default, to put out, exclude, and expel the aforesaid lords, mayors, bailiffs, citizens, burgesses, or commonalty of their cognisance or franchise, that the justices, at the request of the said lords, mayors, bailiffs, citizens, burgesses, or commonalty, shall make enquiry by the assise where such exception is alledged in assises, and in actions personals by inquests to be taken before the justices, if such defaults shall be made as afore is said, or not: (2) in which assise and inquest so to be taken, as well the plaintiffs as the lords, mayors, bailiffs, citizens, burgesses, and commonalty may have their challenge. (3) And if it be found by such assises or inquests so to be taken, that such defaults shall be made by collusion, to put out and exclude the said lords, mayors, bailiffs, citizens, burgesses, or commonalty of their franchises, liberties, cognizances, or jurisdiction, that in such cases the said writs shall be abated, and the plaintiffs shall be in the King's mercy: (4) by consideration that it is ordained by the statute

sonelx seuz ou a suers devaunt le Roi en son bank justices de commurie bank ou autres justices le Roi qiconque pur le temps esteantz dascuns terres tenementz ou autres choses esteant ou surdaunt deinz ascuns seignuire fraunchise ou auncien demesne dount la conusance ou jurisdiction doit aperteigner as ascuns seignurs mairs bailiffs citezeins burgeys ou communalte de tielx seignurs franchise ou auncien demesne qe adonques si ascun defendant en ascun tiel assise ou autres actions personelx face defaute pur oustier & excluder les ditz seignurs mairs baillifs citezeins burgeys ou communalte de lour franchise ou conusance qe les justices al request dez ditz seignurs mairs baillifs citezeins burgeys ou communalte facent enquerer par lassise ou tiel exception est alegge en assise & en actions personelx par enquestz apprendre devaunt les justices si tielx defautes soient faitz come deuis est dit ou nemye en queulx assise & enquest issint apprendre sibien les plaintifs come les seignurs mairs baillifs citezeins burgeys & communalte purront aver lour chalaunge. Et si trove soit par tielx assise ou enquests issint apprendres qe tielx defautes soient faitz par collusion pur oustier & excluder les ditz seignurs mairs baillifs citezeins burgeys ou communalte de lour franchise libertees conusances ou jurisdiction qe en tielx cafes lez ditz briefs soient abatuz & lez plaintifs soient en la mercy le Roy par consideration qil est ordene par lestatuit fait lan du regne le Roy Henry aiel nostre seignur le Roy ix^{me} qe si ascun mair baillif

9 H. 4. c. 5.
Mayors, bailiffs, &c.
Lords of ancient demesne, named disseisors in assise by collusion, to put them out of their cognisance.

baillif, commonalte ou seignur dauncien demene soit nome en briefs daffise par collusion pur eux oustier de lour conusance ou jurisdiction en cell partie que les justices primes enquergerent par lassise du pais de tiel collusion si les ditz seignurs mairs baillifs ou commonalte le demandent. Et si trove soit par tiel enquisition qils soient issint nomez par collusion quadonques le brief abatera.

made the ninth year of the reign of King *Henry*, grandfather to our lord the King, That if any mayor, bailiff, commonalty, or lord of ancient demesne be named in writs of assise, by collusion, to put them out of their cognizance or jurisdiction in this behalf, that the justices first shall enquire by the assise of the country, of such collusion, if the said lords, mayors, bailiffs, or commonalty the same require; (5) and

if it be found by such inquisition, that they be so named by collusion, that then the writ shall abate.

C A P. XXVII.

A remedy for the inhabitants of Tewksbury in the county of Gloucester, against the commonalty of the forest of Dean, &c. to prevent future robberies and injuries in the navigation on the Severn.

ITEM, forasmuch as the commons of the realm of *England*, Ex edit *Rast.* being in the same parliament, at the instance and especial request of the faithful liege people of our sovereign lord the King, the bailiffs, burgesses, and commonalty of the town of *Tewksbury*, within the county of *Gloucester*, have made to our sovereign lord the King, a very grievous complaint in the same parliament; That whereas the said town of *Tewksbury* is adjoining to the river of *Severn*, within the said county of *Gloucester*, which river is common to all the liege people of our sovereign lord the King, to carry and bring within the stream of the said river in boats, troughs, and otherwise, all manner of merchandise and other goods and chattels to *Bristol*, and to every part adjoining to the same river, in which river divers persons of the said town of *Tewksbury* often times and now of late have charged their proper vessels and troughs with wheat, rye, and other corn and goods, to the value of five hundred pounds, and so the same vessels and troughs so charged, have conveyed in the same river towards the said town of *Bristol* by the coasts of the forest of *Dean*, within the said county of *Gloucester*, joining to the said river, there have commonly great multitude of people, and routs of the commons of the same forest, and of the hundreds of *Bledislow* and *Wesbury*, with great riot and force in manner of war, as enemies of a strange land, and with force have spoiled the same persons of the said vessels, and taken of them all their corn and goods within the same vessels, and the same persons have menaced and threatened to put to death, if they made any resistance, any suit, quarrel, or complaint for the same, to the great hindrance, loss, and impoverishment of the said persons, and oppression

Forest of
Dean.

pression of all the country there adjoining. And afterward the same our sovereign lord the King, by the advice and assent of his council, sent his letters of privy seal, directed to divers persons of the said forest, to make open proclamation that no man of the said forest should be so hardy to inquiet or disturb his people to pass by the river with all manner of corn, goods and chattels, or any other merchandise, upon the pain of treason, after which proclamation so made, the said trespassers came to the said river with more greater routs and riots than ever they did before, not esteeming nor regarding the said letters of privy seal, and there spoiled at divers times eight troughs of wheat, rye-flour, and divers other goods and chattels, and the people of the same troughs did throw over the board and divers of them drowned, and the sterns of the said troughs did cut away, and did threaten the owners of the said goods and chattels, and also the people of the said troughs, that they should not be so hardy to carry no manner of victual by the said stream much nor little, for lord nor for lady: and that they would hew all to pieces the said boats, if they came another time by the coasts of the said forest of *Dean*, for the which riot and rebellion, no person of the said town of *Tewksbury*, nor of the country adjoining, dare not carry any corn nor other goods nor chattels in the said river, nor pursue to have remedy for such oppressions and griefs to them done, forasmuch as the said forest of *Dean* and hundreds be very large, and the people inhabiting and resident in the same very wild, and nigh adjoining to the country of *Wales*. And all the commons of the same forest and hundreds of one affinity and confederacy in malice and riot, not pondering nor regarding the law, nor the officers and ministers of the same, nor caring for the process nor the punishment of the law of the land, inasmuch that they will not obey, but at their own will, any minister of the King's laws, nor execution of the same, nor the officers nor ministers of the law of the said county, dare not in any wise come into the said forest, to execute any matter or process of the law against the will and intent of the commons of the forest and hundred aforesaid. Our sovereign lord the King, having tender respect and consideration of the said mischiefs, and also considering the inconveniencies, which be like to ensue and follow upon the same, and upon that willing to resist the malice of such transgressors and offenders, and to provide hasty and covenantable remedy for his said faithful liege people so grieved in this behalf, by the advice and assent of the lords spiritual and temporal, being in this present parliament, and at the special request of the said commons there assembled, hath ordained by authority of the same parliament, that in every such case hereafter to come, or else had or chanced this last year past, the sheriff of the said county, or the bailiffs of the town of *Gloucester* for the time being, or one of them, upon pain of forfeiture of twenty pounds to be levied of their lands, goods, and chattels, to the use of our sovereign lord the King, make proclamation at the said town of *Gloucester*, within four days next after notification made

to them, or to any of them by the persons so endamaged, or by any other in their names, of such injuries and trespasses done, and that the said trespassers and offenders shall restore in the same town of *Gloucester* within fifteen days after the said proclamation to the said persons so endamaged, their said corn and merchandises, goods and chattels so taken, or the very value of the same, with reasonable amends for their damages of such taking. After which proclamation if the said trespassers do not restore the said corn and merchandises, goods and chattels, or the value of the same, to the parties so grieved in the form aforesaid, with reasonable amends for their damages, nor that the said trespassers be not brought to the King's prison, to the castle of *Gloucester* for the said trespasses by the officers of the said forests and hundreds, or by the commonalties of the same, to be demeaned in such case by the King and his council, that then by consideration of the statute of *Winchester* put for the robbery of any person, which giveth an action for him which is robbed, against the hundred within which the same robbery is done after the form of the same statute, the said commonalties shall be charged of the same corn and merchandises goods and chattels so taken, or of the very value of the same, to the parties so grieved, to satisfy them of their damages for the same taking. And that the said parties so endamaged and grieved, may have their general actions of debt against the said commonalties of the said forest and hundred, of the sum of money, to which the value of the corn, merchandises, goods and chattels so taken do extend.

And although the said commonalties be no commonalties corporate, yet they shall have process in such actions of debt, by summons, attachments, and distress, as if he were to have an action of debt at the common law, so that if the said commonalties make default at the second distress in such actions, that then the party which shall sue, shall have judgement to recover his debt against the said commonalties, after the supposal of their goods, in the form aforesaid, with his reasonable damages and expences. And whatsoever issue triable by inquest in the said forest and hundreds shall happen to be taken in such actions, it shall be tried by inquest of the body of the said county, out of the same forest and hundreds. And that the goods and chattels of every singular person of the said commonalties, for the time being, shall be had, taken, and holden in law convict, as the common goods and chattels of the same commonalties, touching the return, serving, and all executions of writs, processes and judgments in and of the said actions. And that every singular person of the said forest and commonalties, have power by authority of the said parliament, to attach and arrest the said trespassers by their bodies, as well within the said forest as without, and them so arrested to commit to the said prison. And that the keeper of the same prison upon pain of forty pounds to be levied of his goods and chattels, lands and tenements, to the use of our sovereign lord the King, shall safely keep every person so committed to his custody, till the time that the King or

Commonalty
incorporate.

his council hath ordained and provided their deliverance of record. And if the goods or chattels of any singular person or persons of the said forest and hundreds, being not guilty of the said robberies, happen to be put in execution because of any such actions and judgments, that then the said person or persons so being not guilty, may have their special action of debt or trespass upon their case of the goods and chattels so put in execution; against the said trespassers, to recover their damages, as well for the value of the goods or chattels so put in execution, as for their damages and costs which happened to be had because of such actions of debt; and they shall have such processes in the said actions of debt or trespass, as is to be had in the said actions of debt for the said persons so endamaged and spoiled.

C A P. XXVIII.

There shall be a bridge made over the water of Burford, and another over the water of Culhamford, in the county of Oxford.

Ex edit Raft.
This chapter
is not on the
roll.
Bridges.
Waters of
Burford.

ITEM, the King considering the great ease and profit, which should come to his people by the making of two bridges, that is to say, one over the water of *Burford*, and another over the water of *Culhamford*, in the highway extending from the town of *Abingdon* to *Dorchester*, in the county of *Oxford*, and by the enlarging, inhancing, and repairing of the way betwixt the said waters and bridges of the breadth of iiii perches and viii inches, between the ditches of the same way, and also by the planting and setting of certain trees called Poplars and Willows upon the banks of the said ditches, for the reparation of the same ways when shall be needful: it is ordained by the assent aforesaid, That the said bridges and passages over the same, and also the said way between the said bridges, of the breadth aforesaid shall be and remain for ever as bridges, passages, and a way to all that shall pass there, as well on horseback, as on foot and otherwise, and with all manner of carriages. And that it be lawful to all the King's liege people to repair, inhance, and newly to edify and scour the said bridges, way, passages and ditches in the breadth aforesaid, and new trees there to plant, and to cast in the said ditches, clay, marl, gravel, to dig earth, and to take the same, and to cut the branches and buds of the same trees in times convenient, to repair the same, as often as shall please them without impeachment of any. Saving always the King's right. And saving the abbot of *Abingdon* and his convent, and their successors, their liberties within the said bridges, passages, waters, and ditches, as they were wont, and all their fishing in the said water above the said bridges, and in the ditches.

CAP. XXIX.

An inquest shal be De medietate linguæ, where an alien is party.

ITEM come en le parlement tenuz a Westm' lan xxvijme du Roi E. tierce entre autres choses en favour & libtee des merchauntz estraungiers repairantz en le roialme dEngleterre ordine soit qe si plee ou debate soit moeve devaunt le mair de lestaple entre les marchantz ou ministres dicell & sur ceo pur trier la verite enqueste ou proeve soit apprendre si lun partie & lautre soit estraunge soit trie par estraunges & si lun partie & lautre soit deinszein soit trie par deinszeins & si lun partie soit deinszein & lautre alien soit lun moite de deinszeins & lautre moite des aliens & enoutre qen toutz maners des enquestes & proeves qi serroient apprendres ou affairs entre aliens & deinszeins soient ils merchantz ou autres sibien devaunt le mair de lestaple come devaunt qeconques autres jugges ou ministres tout soit le Roi partie soit lun moitee del enquest ou proeve dez deinszeins & lautre moitee des aliens si tantz des aliens soient en la ville ou lieu ou tiel enquest ou proeve soit apprendre qe ne soient my parties ne ove les parties en contractz plee ou autres querelles dount tielx enquestes ou proeves deyvent estre prisez & si tant dez aliens ne soient point adonques soient myz eu tielx enquestes ou proeves tantz des aliens come ferront trovez en mesmes les lieux ou villes qi a ceo ne soient my parties ne ove les parties come devaunt est dit & le remenaunt des deinszeins qi soient

ITEM, *whereas in the parliament holden at Westminster the twenty eighth year of King Edward the Third, amongst other things in favour and liberty of the merchants strangers repairing into the realm of England, it was ordained, That if a plea or debate be moved before the mayor of the staple amongst the merchants or ministers of the same, and for to try the truth thereof an inquest of proof is to be taken, if the one party and the other be strange, it should be tried by strangers; (2) and if the one party and the other be denizens, it should be tried by denizens; (3) and if the one party be denizen, and the other an alien, the one half should be of denizens, and the other half aliens; (4) and moreover, that in all inquests and proofs which shall be taken and made betwixt aliens and denizens, be they merchants or other, as well before the mayor of the staple, as before any other judges or ministers, although our lord the King be party, the one half of the inquest or proof should be of denizens, and the other half of aliens, if there be so many aliens in the town or place where such inquest or proof is to be taken, that be not parties, nor with the parties in contracts, pleas, or other quarrels, whereof such inquests or proofs ought to be taken; (5) and if there be not so many aliens, then so many aliens shall be put in such inquests or proof as shall be found in the same places or towns which be not parties thereunto, nor with the parties as before is said, and the remnant of denizens which be good men, and*
not

28 Ed. 3. c. 13.

a H. 5. stat. 2.
c. 3.

not suspect of the one party nor of the other. (6) Sithence which ordinance the said merchants aliens have been always demeaned and ruled, as well in the staples, as in other of the King's courts, after the form of the said ordinance, until now of late they have been thereof restrained and impeached by colour of another statute made in the parliament holden at Westminster the second year of King Henry, father to our lord the King that now is; (7) by which statute, for the great mischiefs, damages, and disherisons, which daily do happen through the realm, as well in case of the death of a man, as in case of freehold and other cases, by them that pass in inquests in the said case, which were common jurors, and other which had but little or nothing to live upon but by such inquest, and which had nothing to lose because of their false oaths, whereby they do the more lightly offend their consciences; (8) and for amendment and correction thereof to be had, it was ordained and stablished, That no person be admitted to pass in any inquest upon trial of the death of a man, nor in any inquest between party and party in plea real or personal, whereof the debt and the damages declared do amount to forty marks, except the same person have lands or tenements to the yearly value of forty shillings above all charges; (9) because of which restraint and impeachment so made to divers merchants aliens, many of the same merchants aliens have withdrawn, and daily do withdraw them, and eschew to come and be conversant on this side the sea, and likely it is, that all the same merchants aliens will depart out of the same realm of England, if the said last statute

soient prodes hommes & nient suspicieuses a lun partie ne a lautre. Depuis quell ordinance les ditz marchantz aliens ount este tout temps demesnez & reulez sibien en les ditz estaples come en les autres courtes du Roy solonc la forme dicell ordinance tange jatarde qils ent ount este restreintz & empeschiez par colour dun autre estatuit fait en le parlement tenuz a Westm' lan du reigne le Roi H. pier nostre seigneur le Roi qorest seconde par quell lestatut pur les graundes meschiefs & disheritances qe de jour en autre aveignoient parmy le roialme dEngleterre sibien en cas de morte de home come en cas de franc tenement & en autres cases par cieus qi passerent es enquestes en les dites cases qi feurent communes jurours & autres qi navoient qe poie de vivre mes par tielx enquestes & les queux navoient rien a perdre par cause de lour faux serementz parount ils le puis legierment offenderent lour consciences & pur correction & amendement ent avoir ordine fuisse & establie qe null persone soit admys de passer en ascun enquest triall de morte de homme ne en ascun enqueste parentre partie & partie en plee reall ou personell dount le dette & lez damages declarez amountent a xl. marcs si mesme la persone nait terres ou tenementz del annuel value de xl s. par an outre les reprises dicelles A cause de quell restreint & empeschement ensy faitz as ditz marchantz aliens plusours de mesmes les marchantz aliens leur ount retraihez & se retrahent de jour en autre & eschuent de venir & converser par

par decea & verisemblable est
 que trestoutz mesmes les mar-
 chantz aliens lour voillent de-
 partier hors de mesme le roi-
 alme si le dit darrein estatut
 ne soit pluis overtement decla-
 rez & lez ditz merchantz ali-
 ens reulez governez & demes-
 nez en tielx enquestes solonc
 la fourme del primer ordi-
 naunce desuisdite a tresgrande
 amenuisement des subsidees du
 Roi & grevoue perde & da-
 mage a tout son roialme a-
 vaunt dit. Nostre dit seigneur
 le Roi considerant les premisses
 & qil ne faist my lentention du
 dit nadgairs Roi ne de les sei-
 gnurs espirituelx & temporelx
 de son dit parlement de dero-
 ger ou prejudicer a le dit pri-
 mer ordinaunce par le dit dar-
 ren estatut & que mesme le dar-
 rein estatut fust fait a cause
 des meschiefs & disheritances
 qavenoient par lez faux sere-
 mentz des communes jurours
 du roialme sicome il appiert
 par expresses paroles de mesme
 lestatut & coment les ditz mar-
 chantz aliens ne sont mye
 communes jurours ne enhe-
 ritables deinz le dit roialme
 ne purront purchacer nenjoier
 ascuns terres ou tenementz en
 icell saunz especial licence du
 Roi. Et voillant pur ceo
 mesme nostre seigneur le Roi
 purveier pur le bien & profit
 de luy & de son dit roialme &
 pur escheuer les damages &
 inconveniences qi purront le-
 gierment avenir en cell partie
 & auxi pur doner as ditz mer-
 chantz aliens le greindre co-
 rage & talent de venir ove lour
 merces & merchandises en cest
 roialme de ladvy & assent des
 seignurs esperituelx & tempo-
 relx esteantz en cest present
 parlement ad declaree le dit
 darrein

*tute be not more plainly declared,
 and the said merchants aliens
 ruled and governed, and demean-
 ed in such inquests, according to
 the first ordinance aforesaid, to
 the great diminishing of the
 King's subsidies, and grievous
 loss and damage of all his said
 realm of England. (10) Our
 lord the King considering the pre-
 mises, and how that it was not
 the meaning of the said late King,
 nor of the lords spiritual and tem-
 poral of the said parliament, to
 hinder or prejudice the said first
 ordinance by the said last statute;
 (11) and that the said last sta-
 tute was made in respect of the
 mischiefs and disherisons that
 happened by the false oaths of the
 common jurors of the realm of
 England, as it appeareth by ex-
 press words of the same statute;
 and how that the said merchants
 aliens be not common jurors, nor
 inhabiting within the said realm,
 nor may not purchase nor enjoy
 any lands or tenements in the
 same, without the King's special
 licence; (12) and the same our
 lord the King willing therein
 to provide for the weal and
 profit of him and all his realm,
 and to eschew the damages
 and inconveniences which may
 easily happen in this behalf,
 and also to give to the said
 merchants aliens the greater
 courage and desire to come
 with their wares and mer-
 chandises into this realm, by
 the advice and assent of the
 lords spiritual and temporal,
 being in this present parlia-
 ment, hath declared the said
 last statute, made in the time
 of his father, to be in no wise
 prejudicial to the said ordi-
 nance, nor to extend itself but
 only to the inquests to be ta-
 ken betwixt denizen and deni-
 zen*

A confirma-
 tion of the
 statute of 18
 Ed. 3. c. 13. or-
 daining that
 an inquest
 shall be de
 medietate
 lingue, where an ali-
 en is party.

And the statute of 2 H. 5. stat. 2. c. 3. limited to inqueits taken between denizen and denizen.

nizen, and not to other inqueits and proofs aforesaid; (13) and the said first ordinance to be effectual and stand in force, and to be put in due execution according to the form of the same, notwithstanding the said last statute, or that that the aliens have not lands or tenements to the value of forty shillings by the year, according to the purport of the same last statute and ordinance.

value de xl s. par an solonc la estatut nient contristant.

darrein estatut fait en temps de son dit pier noun estre ascunement prejudiciell au dite premiere ordinaunce ne se extendre mes tantfoulement a les enquestes apprendres parentre deinszein & deinszein & nemy a les autres enquestes & proeves desusdites & la dite premiere ordinance destre effectuell & estoier en sa force & destre myz en due execution solonc la forme dicell le dit darrein estatut ou ceo qe lez aliens nount my terres ou tenementz a le

contenue de mesme le darrein

Statutes made at *Westminster*, Anno 9 HEN. VI. and Anno Dom. 1430.

AT the parliament holden at Westminster the Friday next before the feast of St. Hillary, the ninth year of the reign of our lord the King that now is, divers statutes and ordinances were made and established by the advice and assent of the lords spiritual and temporal, and at the special request of the commons of the realm assembled in the said parliament, in the form following.

AU parlement tenuz a Westm' le Vendredy prochein devaunt le fest de seint Hillary lan du regne nostre seigneur le Roi qorest noefisme diversez estatutz & ordonances feurent faitz & ordinez par advis & assent des seignurs espiritualx & temporelx & a la especiall request des communes du roialme en le dit parlement assemblez en la fourme qensuit.

C A P. I.

All assises and Nisi prius shall be adjourned during this parliament, until certain days.

Ex edit. Rast.

FIRST, considering how that in all the countyes of England the days of the assises of *Novel disseisin* and of *Nisi prius* then were prefixed very likely to be holden during the high court of the said parliament, in which court of parliament many of the King's liege people were by his commandment, of which many were plaintiffs and many defendants in the same assises and *Nisi prius*, and in the said assises and *Nisi prius*, the same plaintiffs and defendants were likely to be disinherited, if remedy were not provided in this behalf: and for so much by the advice and assent of the said lords, and at the special request of

of the said commons, it is ordained by authority of the said parliament, to prorogue all manner of assises and *Nisi prius* before prefixed, till certain days by the chancellor of *England* for the time being after the third day of *March*, the said ix. year to be limited. And the days so by the said chancellor to be limited, have relation in law to the days of assises and *Nisi prius* then so prefixed, in such wise, that by this prorogation the same assises and *Nisi prius*, shall not be holden nor reputed nonsued, nor discontinued. And that in every of the said counties proclamations be made by the sheriffs fifteen days before the said days, so by the chancellor to be limited, to the intent that the plaintiffs and defendants, and all other, which have to do in the said assises and *Nisi prius*, may keep their days to be limited in the same proclamations so to be made. Which proclamations shall have the effect and force of attachments, without that that it behoveth to make any new attachments for the same.

Prorogation.

CAP. II.

English merchants may sell their merchandise to aliens, giving them only six months credit, notwithstanding the statute of 8 Hen. 6. c. 24.

ITEM, whereas in the parliament holden at *Westminster* the eighth year of our sovereign lord the King, amongst other articles it is contained, to eschew the great loss and damage, which divers persons of this realm have had, and were likely to have for the loans made of their merchandise to merchants aliens, which have fled away with the same, and daily take sanctuaries: it was ordained, that no *Englishman* should sell nor cause to be sold from henceforth to any merchant alien, any manner of merchandise but only for ready payment of money or otherwise in merchandise for merchandise, to be paid and contented in hand, upon pain of forfeiture of the same: because of which ordinance the *English* merchants have not sold, nor cannot sell nor utter their cloths to merchants aliens, whereby the King hath lost his subsidies and customs, which he ought to have had, if the said cloths had been sold as they were and were wont heretofore: and *English* merchants, cloth-workers, and other the King's liege people in divers parts of his realm annoyed and endamaged: whereupon at the supplication of the said commons, and by the advice and assent aforesaid, it is ordained that the *English* merchants may sell their cloths to merchants aliens for ready payment in money or otherwise in merchandise for merchandise, to be paid and contented in hand, or upon loan of payment to be made in money or merchandise from six months to six months next ensuing after such buyings and bargains made without giving thereof further days of payment, upon pain of forfeiture of the same: notwithstanding the said ordinance. And this ordinance shall endure as long as all please the King. Provided always that all other articles contained in the said ordinance, made in the said eighth year, shall stand in their force.

Cloths sold for days to strangers.

CAP. III.

The proceedings against Owen Glendour, attainted of high treason, shall stand good, notwithstanding any error, misprision, &c. but shall not prejudice his heirs.

Owen Glendour.

ITEM, considering the great insurrections, rebellions, and horrible treasons imagined and committed by *Owen Glendour of Wales*, against the royal majesty of King *Henry*, grandfather of our sovereign lord the King that now is, whereof he was indicted (as it appeareth in an indictment made before *Thomas* late earl of *Arundel*, *John Durley*, and *Thomas Lee*, by the commission of the said grandfather to inquire with other, of all manner of treasons, insurrections, and enemies of the same King the grandfather, as in the said commission is more fully contained:) and thereupon the said indictment of high and heinous treasons brought into the King's bench at *Westminster*, and process thereof made, till the same *Owen* after proclamation made in five counties, was outlawed, and after in the full parliament holden at *Westminster*, the fourth year of the same King the grandfather, was called and named of record traitor to the said King the grandfather, as well by statute as by the letters patents of the said King the grandfather: and for the horribility of his so many treasons, it was ordained by statute in the same parliament that no *English* man married to any *Welsh* woman of the amity and alliance of the said *Owen*, traitor to the King, should be put in office in *Wales*, nor in the marches: and also considering how the said *Owen* and his adherents were excepted in many general graces and pardons granted by the said King the grandfather to his liege people at divers times, because of the insurrections, rebellions, and horrible treasons aforesaid, for the weal of all the realm, and for the repression of all such horrible treasons from henceforth to be compassed, of the assent of the lords and commons aforesaid: it is ordained and stablished, by the authority of this present parliament, That all manner of indictments, inquisitions, processes, records, judgments, ordinances, and statutes made and expressed, taken, had, pursued, or declared against the said *Owen*, he affirmed, authorised, and stablished for law by authority of this present parliament, and by the same authority shall be effectual and sufficient in the law for to bind and conclude for ever, all that he heirs or of the blood of the said *Owen*, notwithstanding any default or misprision had in this party, or any error in writing or in leaving out of the name or place, or the indorsement of the said commission, or of negligence adding or leaving out more or less than behoveth, or any other default in the said indictments, inquisitions, records, or judgments notwithstanding, so that this present ordinance be not prejudicial to any of the heirs or of the blood of the said *Owen*, as to any lands in tail.

CAP. IV.

An identitate nominis maintainable by executors, &c.

ITEM pur ceo qe avaunt ces heures diverses utlagaries ount este pronunciez en divers des lieges du Roi sibien devaunt lestatut dadditions fait a Westm' lan primer le Roi Henri quint pier a nostre seignur le Roi qoreft come depuis a cause des queles utlagaries les corps dautres gentz eiantz autielx & semblables nouns come ceux qi seurent utlagez en fait avoient ount este prisez & emprisonnez & leurs biens & chatleulx pur celle cause par lesche-tours nostre dit seignur le Roi & ses nobles progenitours seisez et combien qe par le commune ley du roialme brief de Idemptitate nominis ad estee maintainable pur mesme la persone qe en la fourme suisdite fuisit moleste & greve nepurquant si aucune persone des ditz lieges eiant semblable noun come aucun autre persone de mesmez les lieges qen fait fuisit utlage avoit fust ses executours & morust sovent avient qe par malice & subtilxymaginations let biens & chateux de tiel testatour qe avoit mesme le noun come celui qi fuisit utlage en fait avoit estoient seisez & eschetez es mains nostre dit seignur le Roi & de ses ditz progenitours en retardation del execution del testement de checun tiel testatour pur le doute qad estee de ceo qe aucuns executours pur-roient par la commune ley avoir brief de Idemptitate nominis ou noun. Sur quoy pur toller & remover toutz tielx doutes & ambiguites en cest cas en apres del assent & advis suisditz & a la especial request des ditz communes ordeinez est & estab-lez

ITEM, *For that before this time many outlawries have been pronounced against divers of the King's liege people, as well before the statute of additions made at Westminster the first year of King Henry the Fifth, father to our lord the King that now is, as sithence, in respect of which outlawries, the bodies of other persons having such and like names as they had which were outlawed indeed, have been taken and imprisoned, and their goods and chattels for this cause seised by the escheators of the King and of his noble progenitors: (2) And although that by the common law of the realm a writ of Idemptitate nominis hath been maintainable for the same person, which in the form aforesaid was molested and grieved; nevertheless if any person of the said lieges, having like name as any other person of the same liege people which was outlawed in deed, had made his executors, and died, often it happened, that by malice and subtil imaginations the goods and chattels of such testator, which had the same name as he had which was outlawed in deed, were seised and escheated to the hands of our lord the King and of his progenitors, in retardation of the execution of the testament of every such testator, for the doubt which hath been, whether any executors may by the common law have a writ of Idemptitate nominis, or not. (3) Wherefore to take away and remove all such ambiguities and doubts in this case hereafter, of the assent and advice aforesaid, and at the special request of the said commons, it is ordained and established by authority of this*

H. 5. c. 5.

37 Ed. 3. c. 2. Rast. 407.

An Idemptitate nominis maintainable by the executors of a testator wrongfully molested by colour of any outlawry.

par-

parliament, That a writ of *Idemptitate nominis* be granted and made good and maintained for the executors of every testator, to the same effect that the same action of *Idemptitate nominis* was maintainable before this parliament for any person himself which was or might have been molested or grieved because or by colour of any such outlawry. (4) And that this ordinance shall have relation and force, by authority aforesaid, for the executors of every testator, as well of every outlawry pronounced against any person at any time before this parliament, as of all manner of outlawries to be pronounced against any person in time to come.

Regist. 194.

lez par auctorite de cest parlement qe brief de *Idemptitate nominis* soit & poet estre graunte & done bone & maintainable pur les executeurs de chescun testatour auxibien & de mesme leffect come la dite action de *Idemptitate nominis* fust maintainable devaunt cest parlement pur ascune persone mesme qi fust ou purroit avoir este moleste ou grieve par cause ou colour dascune tiel utlagarie. Et qe ceste ordenaunce ait relation & force par lauctorite suisdite pur executours de chescun testatour sibien de chescune utlagarie pronuncie en ascun persone a ascun temps devaunt cest parlement come de toutz maners dutlagaries pronunciez en ascun persone en temps avenir.

C A P. V.

All men shall have free passage in Severn with goods, chattels, &c.

3 H. 6. c. 27.

ITEM, because the river of Severn, is common to all the King's liege people, to carry and recarry within the stream of the said river, to Bristol, Gloucester, and Worcester, and other places joining to the said river, all manner of merchandises and other goods and chattels, as well in trowes and boats, as in flotes commonly called Drags, in every part joining to the said river; (3) within which river many Welshmen and other persons dwelling in divers places joining to the said river, have now late assembled in great number, arrayed in manner of war, and taken such flotes, otherwise called drags, and them have hewed in pieces, and with force and arms beaten the people which were in such drags, to the intent that they should hire of the said Welshmen and other persons, for great sums of money, boats, and other vessels for

ITEM pur tant qe la ryver de Severne est commune a toutz les lieges du Roi de carier & recarier deinz le streme du dit ryver a Bristuyt Gloucestre & Worcestre & autres lieux au dit river adjoynantz toutz maners des merchandises & autres biens & chateux sibien en trowes & batelx come en flotes autrement appelez dragges en chescun partie adjoynant au dit river deinz quell river divers Galeis & autres persones demurantez en divers lieux adjoynantz au dit river ount ore tarde assemblees en grande noubre arraiez en faire de guerre & pris tielx flotes autrement appelez dragges & eux ount trenches en peces & ove force & armes batuz lez gentz queux feurent en tielx flotes a lentent quilz lowerent des ditz galeys & autres persones pur grande

graunde fumtie de moneye batelx & autres vesselx pur cariage des tielx merchandises & autres biens & chateux a malveis ensample & graunde empoverissement des ditz lieges sils ne soient hastiment remediez. Si est ordinez par auctorite de cest parlement que les ditz lieges du Roy purront avoir & enjoier leur frank passage en le dit river ove flotes & dragges & toutz maners des merchandises & autres biens & chateux a leur volunte sanz destourbaunce de nully. Et si aucun soit destourbe de son frank passage en le dit river ait la partie greve sa action solonc le cours de la commune ley.

for carriage of such merchandises, and other goods and chattels, to an evil example and great impoverishment of the said liege people, if remedy be not hastily provided;

(3) it is ordained by authority of this parliament, That the said liege people of the King may have and enjoy their free passage in the said river with flotes and drags, and all manner of merchandises, and other goods and chattels, at their will, without disturbance of any; (4) and if any be disturbed of his free passage in the said river, the party grieved shall have his action according to the course of the common law.

A remedy for them who are hindered of their free passage with boats, or goods, upon the river of Severn.

19 H. 7. c. 18.
25 H. 8. c. 12.

C A P. VI.

The burgesses of Dorchester shall have their weighing by twelve miles about, &c.

ITEM ordeignez est & assentuz que par force del estatut fait en le darrein parlement des poises accordantz a lestandard de leschequer a estre euez en chescune citee burgh & ville deinz le roialme ne soient les burgies del burg de Dorchestre destourbez de leur droit de user leur poisesures par xij. leuges environ mesme le burgh usantz toutz soitz tielx poises come en le dit estatut sount exprimez et que null droit ou tittle de poisure soit accrue a aucun par force de mesme le darrein estatut en destourbaunce del droit des burgies del burgh de Dorchestre desuisdit.

ITEM it is ordained and assented, That by force of the statute made in the last parliament, of weights according to the standard of the exchequer to be had in every city, borough, and town within the realm, the burgesses of the borough of *Dorchester* shall not be disturbed of their right, to use their weighing by twelve miles round the same borough, using alway such weights as in the said statute be expressed; (2) and that no right nor tittle of weighing grow to any by force of the same last statute, in disturbance of the right of the said burgesses of the said borough of *Dorchester*.

By the statute 8 H. 6. c. 5. the burgesses of *Dorchester* shall not be disturbed to use their weighing by 12 miles about the same.

C A P. VII.

No sheriff, &c. of the county of Hereford shall extort money, or do wrong in his turn, by colour of his office.

ITEM, for the great mischiefs, and importable oppressions daily done to the King's liege people within the county of *Rassal*.

Vol. III.

M

Hereford Sheriff's turn.

Ex edit.

County of
Hereford.

Hereford, by encroachments and extortions done by the sheriffs of the said county for the time being, late begun and wrongfully continued, because that the sheriffs in their turns and other places after their turns holden and ended, in which other places they have no power nor authority by their office to take any inquiry or inquest, do take divers inquiries, inquest of office and indictments of labourers, artificers, and other divers things ordained by statute to be inquired before the justices and commissioners of the peace, whereas in no manner they pertain to be inquired by such sheriffs in their turns, nor otherwise, nor in other places before them: And which sheriffs by force of such inquiries, inquests of office and indictments unduly and unlawfully taken before them in their turns and elsewhere, and for the not coming of the said liege people to the said turns, the said sheriffs do wrongfully take to their own use of divers of the same liege people, fines and amerciaments of x. li. and other great sums, in oppression, undoing, and destruction of many poor people of the said lieges, if hasty remedy be not provided in this part: In consideration of which mischief it is ordained by authority of this parliament, that no sheriff nor under sheriff of the said county from henceforth, by colour of his office, shall take any inquiry, indictment, or inquest of office in his turn, which ought not by the law to be taken in his turn, nor that he by colour of his said office take any inquiry, inquest of office, or indictment in any other place, after the said turn holden, and ended, nor that he take of any of the King's liege people any fines or amerciaments, for any thing or cause that pertaineth not to his turn or office, nor no such heinous nor grievous amerciaments of any of the said lieges, against reason, for not coming to the said turn, or to another place, or for other cause by colour of his said office, upon pain of xl. li. by him to be paid to our sovereign lord the King his heirs and successors, as oftentimes as such sheriff or under sheriff thereof or of any article of the same be duly convicted at the suit of the King or of the party grieved, which shall sue as well for the King as for himself. And that the plaintiff in such case have the half of the said sum, together with his double damages to his own use. And that the party in this case grieved have power by the same authority, to sue in this party against such sheriffs and under sheriffs, as well for the King as for himself as before is said. And that the justices of peace of the same county for the time being, have power and authority to enquire, hear, and determine, such misprisions and offences, as well at the King's suit as at the party's, which will sue for the King and for himself. And this ordinance shall endure by iii. years next coming.

21 H. 6. c. 7.

C A P. VIII.

The weight of a wey of cheese.

2 H. 6. c. 5.

ITEM, *Whereas it hath been of old times accustomed in all the*

ITEM come il ad este dauncien temps accustumez en toutz

toutz les countees d'Engleterre
 qe les fromages qe dussent estre
 venduz par la wey serroit poisee
 par le auncell et pur ceo qe a
 le darrein parlement tenuz a
 Westm' fust ordeigne qe les
 ditz auncelles a cause de la
 graunde deceite dicelles ser-
 roient destruitz & autres poises
 couchantz serroient celle partie
 ordeinuz et est ainsi qe les po-
 verez gentz du roialme sont
 graundement deceux par les
 ditz poises couchant a cause
 qils noient conisaunce combien
 des livres le wey de fromage
 tient par les ditz poises couch-
 antz. Et pur ceo au fin qe
 les ditz poverez gentz ne ser-
 roient en celle partie deceux si-
 come ils ont este depuis le
 dit darrein parlement ordine est
 par auctorite de cest parlement
 qe le pois dun wey dun fro-
 mage puisse tenir xxxij. cloves
 cestassavoir chescun clove vij.
 li. par les ditz poises couchantz.

*the counties of England, that
 all the cheefes which ought to be
 sold by the wey should be weighed
 by the auncel, and because that at
 the last parliament holden at
 Westminster it was ordained,
 That the said auncels, in respect
 of the great deceit of the same,
 should be destroyed, and other
 weights couching should be in this
 behalf ordained; and it is so, that
 the poor people of the realm be
 greatly deceived by the said weights
 couching, for that they know not
 how many pounds the wey of cheese
 doth contain by the said weights
 couching. (2) And therefore
 to the intent that the said poor
 people shall not be in this be-
 half deceived, as they have
 been sithence the said last par-
 liament, it is ordained by the
 authority of this parliament,
 That the weight of a wey of
 cheese may contain xxxii.
 cloves, that is to say, every
 clove vii. li. by the said weights
 laying.*

A wey of
 cheese shall
 contain 32
 cloves.

CAP. IX.

*The chancellor of England may grant his commission to cer-
 tain persons to scour, and amend the river Ley in the
 counties of Essex, Hertford, and Middlesex.*

ITEM, Whereas it was ordained by a statute made in the
 time of King Edward the Third, the 25th year of his reign,
 that all the wears, mills, stanks, stakes, piles, and kydels,
 which were set in the great rivers of England, in the time of the
 lord Edward sometime King of England, son of King Henry,
 and after, whereby ships and boats be disturbed, that they can-
 not pass as they were wont to pass, should be removed and pul-
 led down. And afterward in the parliament of King Henry,
 father of our sovereign lord the King that now is, holden the
 first year of his reign, it was ordained, that as well the said
 statute made the said xxv. year, as another statute made in the
 time of the said noble King Edward the Third, the xlv. year
 of his reign, in all their articles shall be firmly holden, and ob-
 served, joining to the same, commissions shall be made to suf-
 ficient persons, to be justices in every county of England, where
 it shall be needful, to survey and keep all the waters and great
 rivers within the realm, and to correct and amend the defaults;

Wears, mills,
 &c.

25 Ed. 3. stat.

4. c. 4.

1 H. 5. c. 2.

3 H. 6. c. 5.

13 Eliz. c. 18.

River of Ley.

Chancellor of
England.

and to make due execution of the said statutes according to their effect, as well by their surveying, advisement, and discretion, as by inquisitions within liberties and without, thereof to be taken when it shall be needful, and all the premisses to hear and determine. And notwithstanding all the said statutes, and many other statutes made for the conservation of the said great rivers, there is so great number of shelds within the river of *Ley*, which is in the counties of *Essex*, *Hertford* and *Middlesex*, which runneth from the bridge of the town of *Ware*, to the river of *Thames*, which shelds be made and come by force and course of the said water of *Ley*, that ships and boats may not pass by the said water of *Ley*, as they ought, because that no power nor authority is given by any statute heretofore made, how nor in what manner the said shelds may be removed, as by a petition delivered in this parliament by the commons of the same it was fully declared: Whereupon by advice and assent of the lords spiritual and temporal, and also at the request of the said commons, it is granted and ordained, That the chancellor of *England* for the time being, may assign certain sufficient commissioners, which shall have power by authority of this parliament, to remove and cast all the said shelds out of the said river of *Ley*, upon the banks of the same river, so that any may be found, that will take upon him to do the same, without excluding of any man's right. And in case any credit or shift of any sums of money be or might be made, to put out and amove the said shelds, that then the commissioners of the said river for the time being, by them and by their deputies, may by authority of the same parliament, take and gather of every ship and boat freighted, passing or coming in the said river four pence, for the repayment of the said credits made or to be made, and for the conservation of the said river without such shelds, till the end of three years next following.

CAP. X.

A rehearsal and confirmation of the statute of 3 HEN. V. cap. 2. authorizing certain abbots and other religious persons to make their attornies.

ITEM, whereas in the parliament holden at *Westminster*, the xv. day of *March* the third year of the reign of King *Henry* the Fifth, a statute was ordained in the form as followeth: Item, forasmuch as there be divers abbots, priors, whereof some be of the King's foundation, and some of the foundation of other lords dwelling as well within the county of *York*, as in the county of *Lancaster*, whereof some have possessions within the wapentakes of *Staincliffe* wapentake, and *Friendles* wapentake in *Craven* in the said county of *York*, and some not, against whom divers persons daily by abettment and procurement of the bailiff's approvers of the courts of the said wapentakes, and of the stewards that hold pleas in the said courts, and of fermours of the profits and revenues of the said

saïd courts, do feign and procure by them and other of their covin and assent, divers plaints and pleas of debt and trespass, and other divers pleas in the courts of the saïd wapentakes. And when the same abbots and priors come to the saïd courts to defend them of such wrongful plaints and pleas, and pray and profer to the stewards and bailiffs of the saïd courts to make their attornies in such pleas, the saïd stewards and bailiffs the same refuse, and will not receive such attornies of such abbots and priors, in any plea of debt or trespass, nor in any other plea. And moreover the same stewards and bailiffs of their own authority do amerce the saïd abbots and priors, at the first time for every of the saïd plaints ten shillings or twenty shillings, or more at their will, to the great damage and hindrance of the saïd abbots and priors, and against reason and the common law of the land. The King hath ordained in remedy of the saïd grievances, that all such abbots and priors and their successors and every of them, so vexed in the saïd courts, may make their attornies or attorney general, *Attorney.* that is to say, every of them under the common seal of his house, to gain and lose in every plea of debt and trespass, and other plea moved or to be moved in the saïd courts, and in all other courts within the saïd wapentakes. And that the stewards and bailiffs of the saïd courts receive the saïd attornies so made and named without any contradiction. And if the same stewards or bailiffs refuse to receive any such attornies, so made and named, or to be made and named, that then the saïd stewards and bailiffs at every time of such refusal of such attornies, shall forfeit and incur the pain of x. li. to the King. And that the saïd abbots and priors or their successors in the saïd counties nor in any of them, shall be amerced for any nonsuit or default in none other manner than secular persons. And that this ordinance stand in his force for all the year next coming, and till the parliament the same year next ensuing: After the determination of which statute, because that it was not ordained to endure but for a certain time now determined and past, the mischiefs and grievances aforesaid do remain yet not remedied, and daily abound and increase more than ever they did, and moreover the saïd stewards and bailiffs will now receive none other plea nor answer of the saïd abbots and priors in the saïd courts, but only to wage their law, to the intent that they ought of necessity to appear before them in their proper persons, to their great vexation and grievances: Wherefore the saïd mischiefs and grievances considered, for the comfort and relief of the saïd abbots and priors, and of other religious persons aforesaid, by the advice and assent of the saïd lords spiritual and temporal, and also at the special request of the saïd commons, it is ordained, That the saïd statute, made the saïd third year, be holden and observed as good and effectual, as long as it shall please the King,

C A P. XI.

Proclamations before a writ be awarded to the bishop to certify bastardy.

ITEM, *whereas by a supplication delivered in this present parliament by the commons of the same, it was declared by Margaret duchess of Clarence, Johan duchess of York, sisters, and amongst other heirs to Edmond earl of Kent, Richard duke of York, Richard earl of Salisbury, and Alice his wife, Ralph earl of Westmorland, John lord of Typtoft and of Powys, and Joyce his wife, and Henry Gray, cousins, and other of the heirs of the said Edmond late earl, as in the same supplication is supposed; that is to say, the said duke, son to Anne daughter of Alianour, another of the sisters of the said Edmond; the said Alice, daughter to Alianour another sister of the said Edmond; the said Ralph, son to Elizabeth another sister of the said Edmond; the said Joyce, daughter to the same Alianour mother of Anne; and the said Henry Gray, son to Johan daughter of the same Alianour: (2) That whereas Alianour, wife to James lord Audley, pretending, calling, and affirming herself daughter and heir to the said Edmond late earl of Kent, and begotten and born in marriage pretended, had betwixt him and Constance late wife of Thomas lord Despenfer, where by the said supplication it is supposed, that the said Alianour, wife to the said James, is bastard, and never was any marriage made, had, nor solemnized betwixt the said Edmond and Constance, (3) but the said Edmond (by the ordinance, will, and agreement of King Henry*

the

ITEM come par une supplication baille en cest parlement par les communes dicell estoit declarez par Margarette duchesse de Clarence Johan duchesse d'Everwyk soers & entre autres heirs a Edmond nadgairs count de Kent Richard duc d'Everwyck Richard count de Sarisbirs & Alece sa femme Rauf count de Westmerland John sire de Tiptoft & de Powys & Joiuse sa femme & Henry Gray cosyns & autres des heirs du dit Edmond nadgairs count sicome en mesme la supplication est supposez cestassavoir le lit duk fitz a Anne file a Alianore une autre des soers du dit Edmond ledite Aleyse file a Alienore une autre soer du dit Edmond le dit Rauf fitz a Elizabeth une autre soer du dit Edmond la dite Joiuse file dite Alianore mere a Anne & le dit Henri Grey fitz a Johanne file a mesme la Alianore qe la ou Alianore femme a James sire d'Audeley pretendant apellant & affermant luy mesme file & heir au dit Edmond nadgairs count de Kent & engendre & nee en espouselx pretensez euez parentre luy & Custance nadgairs femme a Thomas sire Despenfer la ou par la dit supplication est suppose qe la dite Alianore femme au dit James est bastard & jammes nulles espouselx fuerent en fait euez ou solempnisez parentre les ditz Edmond & Custance mes qe le dit Edmond par lordinaunce volunte & agreement du Roi Henri le quart aiel nos

trp

tre seigneur le Roi quorest depuis grande notable & longue ambassiat euz & enjoiez a le duke de Melayne pur mariage a estre euez parentre le dit Edmond & Luce soer au dit duk de Melayne prist a femme & overtement & solempnement espousa la dite Luce a Loundres vivant cell temps la dite Custaunce & illoeques esteant present nient clamant le dit Edmond a son baron ne ascun dower de sez terrez puis son deceffe les queux espoussilles parentre le dit Edmond & Luce en euz & solempnisez continuerent saunz ascun interruption du dite Custaunce ou dascun autre durant la vie du dit Edmond sicome divers siegnurs & autres credibles & notables perones du dit roialme out bien en leur memorie et coment puis la deceffe du dit Edmond lavaundite Luce fuist endowe de ses terres come sa loyall femme continuant et son estat peissiblement par tout sa vie.

Nientmeins la dite Alianore femme James sur grande subtilite processe ymagine prive labour & autres menes & voies colorees a lentent qele deveroit estre certifiez muliere par ascun ordinarie en cas qe bastardie ferroit alegee en sa persone ad porte a ceo qest dit en examination devaunt certains juges en courtz christien & espirituel nient enfourmez neaiantz consaunce du dit subtilite processe ymagine prive labour colorez mefnes & voies certains subornatz proves & perones de sa assent & covine depousantz pur ele come en espouselx euez & solempnisez parentre les ditz Edmond & Custaunce & la dite Alianore femme

the Fourth, grandfather to our lord the King that now is, after great, notable, and long ambassage had and sent to the duke of Mil-lain, for a marriage to be had betwixt the said Edmond and Luce, sister to the said duke of Mil-lain) did take to wife, and openly and solemnly married the said Luce at London, the said Constance then living, and being there present, not claiming the said Edmond to her husband, nor any dower of his lands after his decease; (4.) which marriage betwixt the said Edmond and Luce so had and solemnized, continued without any interruption of the said Constance, or of any other, during the life of the said Edmond, as divers lords and other credible and notable persons of the said realm do well remember; and how after the decease of the said Edmond, the said Luce was endowed of his lands as his lawful wife, continuing thereof her estate peaceably all her life.

II. Nevertheless the said Alianour, the wife of James, upon great subtilty, process imagined, privy labour, and other means and coloured ways, to the intent that she ought to be certified Mulier by some ordinary, in case that bastardy should be alledged in her person, hath brought (as it is said) in examination before certain judges in the spiritual court, not informed, nor having knowledge of the said subtilty, imagined process, privy labour, and coloured ways, certain suborned proofs and persons of her assent and covin, deposing for her, that the said Alianour, the wife of James, was begotten within marriage, had and solemnized betwixt the said Edmond and Constance; the said dutchess, the duke of York, and earl of Salisbury, and

A secret practice to prove one Mulier in the spiritual court, who is a bastard.

M &

Alice,

Alice, *earl of Westmorland, John the lord of Typtoft, Joyce and Henry, nor any of them thereof warned, nor knowing until long time after the deposition so made, whereof the said suppliants do fear them to be grieved and impeached of their inheritance had by the said Edmond, by another subtilty and labour in the temporal law, to be practised and wrought by the said lord of Audley and Alianour his wife; (2) as if they will commence any action against any persons of their own assent and covin, or otherwise will cause such persons of such assent and covin to pursue an action against them, as it is supposed that they intend to do; in which action, by the covin and assent aforesaid, bastardy ought to be alledged in the person of the said Alianour, wife of James, and thereupon by the assent and covin an issue is to be taken, and a writ to be sent to some ordinary (where it please them, not advertised of the said subtilty, assent, and covin) to certify if the said Alianour, the wife of James, be Mulier or not, before which ordinary the same Alianour, wife of James, will alledge and prove herself Mulier by the said depositions of the said suborned witnesses; and then the party reputed as adversary against the lord of Audley and Alianour his wife, in the said action taken or to be taken by assent and covin aforesaid, will alledge no proof nor matter, nor make any defence before the said ordinary against the same lord Audley and Alianour his wife, but suffer the matter before the said ordinary to proceed according to the meaning of the said lord of Audley and Alianour his wife; so that it is very likely, that the same ordinary will certify the said Alianour, the*

me James pur estre engendrez & neez dedeins mesmes les espouselx les ditz duchesse duke d'Everwyk count de Sarisbirs Aleise count de Westmerland John sire de Tiptoft Joiuse & Henri ne null deux ent nient garniz ne sachantz tanqe par longie temps apres la dite deposition fait dount les ditz suppliantz se doutent estre grevez & empeschez de leur enheritaunce cuez par le dit Edmond par autre subtilite & labour en ley temporell a estre laboure & oever par les ditz sire d'Audeley & Alianore sa femme sicome ils voloient prendre aucun action envers aucunes personnes de leur assent & covyne ou autrement faire aucuns personnes de tiel assent & covyne prendre une action envers eux sicome il est suppose qils leur ordignent a ceo faire en la quell action par les assent & covyne suisditz bastardie deut estre allegge en la persone du dite Alianore femme James et sur ceo par assent & covyne issue estre pris & un brief destre envoie a aucun ordinarie ou leur plerroit nient advertise des ditz subtilite assent & covyne pur certifier si la dite Alianore femme James fust muliere ou nemye devaunt quell ordinarie mesme la Alianore femme James voet alegger de prover luy mesmes muliere par la dite deposition des ditz subornatz provez & adonques la partie eu come adversarie envers les ditz sire d'Audeley & Alianore sa femme en la dit action pris ou apprendre par assent & covyne suisditz ne veulle null prove ne matier alegger ne defence fair devaunt le dit ordinarie envers mesmes les sire d'Audeley & Alianore sa femme mes la

suffre

A practice to
prove one
Mulier by the
common law
who is indeed
a bastard.

suffrer la matier devaunt le dit ordinarie proceder solonc l'entent des ditz sire d'Audeley & Alianore la femme parenfi qe verisemblable est qe mesme lordinarie verroit certifier la dite Alianore femme James muliere la quelle certificat issint eu & fait deussloit par la ley d'Engleterre disheriter les ditz duchesse duk d'Everwyk count de Sarisbirs Aleysie count de Westmer' John sire de Typtoft Joise & Henri & leur issue pur toutz jours de lentier enheritaunce avaunt dit. Sur qy les premisses tendierment considere & pur eviter tielx subtielx disheritaunces sibien en le dit cas come en autres cas semblables en temps avenir del advis & assent des seignurs espirituelx & temporelx & auxi a la special request des ditz communes en cest parlement assemblez ordeinez est & establez par auctorite de mesme la parlement qe si la dite Alianore femme James soit certifie muliere en aucun court devaunt ces heures qe null maner de tiel certificat pardevaunt fait pur la dite Alianore femme James mette a aucun prejudice lye endamage ne conclude aucun persone ou persones forsque celui & ses heirs qi fuist fait partie a la plee et qe desore enavaunt toutz juges de ou en les courtz la ou aucun plee est ou serra pendant pris on moeve en queux plee ensi faitz pendantz pris ou moeve bastardie est ou serra alegge envers aucun persone partie a mesme le plee & sur ceo issue jointe ou a joyner le quell par la ley droit estre certifie par lordinarie qe lez juges ou un juge de ou en les courtz ou le dit plee est ou serra pendant pris ou

wife of James, Mulier; (3) which certificate so had and made, ought by the law of England to disherit the said duchesses, duke of York, earl of Salisbury, earl of Westmorland, John lord of Typtoft, Alice, Joyce, and Henry, and their issue for ever, of the whole inheritance aforesaid, (4) Whereupon the premisses tenderly considered, and to eschew such subtil disherisons, as well in the said case, as in other cases like in time to come, by the advice and assent of all the lords spiritual and temporal, and also at the special request of the said commons, in this parliament assembled, it is ordained, and established by authority of this parliament, That if the said Alianour, the wife of James, be certified Mulier in any court before this time, that no manner of certificate heretofore made for the said Alianour, wife of James, shall in any wise put to prejudice, bind, endamage, nor conclude any person or persons, but him or his heirs that was party to the plea. (5) And from henceforth all justices of or in the courts where any plea is or shall be depending, taken, or moved, in which plea, so depending, taken, or moved, bastardy is or shall be alledged against any person party to the same plea, and thereupon an issue joined, which by the law ought to be certified by the ordinary, that the judges, or one judge of or in the courts where the said plea is or shall be depending, taken, or moved, before the time that any writ of certificate pass out of the same court to the ordinary, to certify upon issue so joined, or to be joined, shall make remembrance under their

Proclamations
before a writ
awarded to
the ordinary
to certify
bastardy.

their seals, or his seal, at the suit of the demandant or tenant, plaintiff or defendant in the plea, in which the bastardy is or shall be alledged, reciting the issue that is joined in the same plea of bastardy, and certifying to the chancellor of the King of *England* for the time being, to the intent that thereupon proclamation be made in the said chancery by three months, once in every month, that all persons pretending any interest to object against the party which pretendeth himself to be *Mulier*, that they sue to the ordinary to whom the writ of certificate is or shall be directed, to make their allegations and objections against the party which pretendeth himself to be *Mulier*, as the law of holy church requireth; (6) and the said chancellor having notice of the said remembrance and issue joined, and being required by the said demandant or tenant, plaintiff or defendant having the said remembrance, to make the said proclamation as afore is said, the same chancellor for the time being shall cause to be made proclamation in the form afore said; (7) and the proclamation so made shall certify in the court where the said plea in which the bastardy is alledged another time shall be depending. (8) And that the judges of or in the court where the same plea is or shall be depending, taken, or moved, before any proclamation so to be made in the chancery, make one time such proclamation openly in the same court, and also another time when the proclamation shall be certified by the chancellor of *England*, and made in the form above rehearsed;

ou moeve devaunt le temps qe aucun brief de certificat passera hors de cell court al ordinarie pur certifier sur lissue ensi joyne ou a joyner face une remembrance desouth lour sealx ou son seal al suyt le demandant ou tenant pleintif ou defendant en le plee en quell bastardie est ou serra allegge recitant lissue qest joyne en mesme le plee de bastardie & certifiant a le chaunceller du Roi d'Engleterre pur le temps esteant a l'entent qe sur ceo proclamatio soit fait en la dite chauncerie par trois moys un foitz en chescun moys qe toutz les perones qi pretendent aucun interesse pur objecter encountre la partie qe luy pretende destre muliere qils suent al ordinarie a qi le brief de certificat est ou serra direct pur faire lour alleageances & objections envers la partie qe luy pretende destre muliere si come la ley de seint esglise requiert et le dit chaunceller eiant notice del dit remembrance & issue joynee & requis par le dit demaundant ou tenant pleintif ou defendant avaunt ditz aiant mesme la remembrance de fair la dite proclamation come desuis est dit mesme le chaunceller pur le temps esteant serra fair proclamation en la fourme avaunt dit & la proclamation ensi fait certifiera en la court ou le dit plee en quell la bastardie est allegge alors serra pendant. Et qe les juges de ou en la court ou le dit plee est ou serra pendant pris ou moeve devaunt aucun proclamation ensi affaire en la chauncerie facent un foitz autiel proclamation overtement en mesme la court & auxi autre foitz quant les proclamations ferront certifies par le chaunceller & en la

la fourme reherce faitz et adonques le dit juge agardera le dit brief de certificat al ordinarie pur certifier sur liffue issint joyneé ou a joyner. Et si aucun brief de certificat soit fait ou graunte devaunt ceo qe toutz les ditz proclamations en la fourme devaunt reherce soient faitz & certifiez qe adonques cell brief de certificat et le certificat del ordinarie sur ceo faite ou affaire soit voide en ley & de null effect. Et si aucun brief devaunt cest temps soit direct a alcun ordinarie pur certifier si la dite Alianore femme James soit bastard ou nemye & a cest temps nient certifie fil soit certifie enapres par vertu du dit brief qe mesme le certificat du dit ordinarie ensi fait soit voide & de null effect.

reheard ; (9) and then the said judge shall award the said writ of certificate to the ordinary, to certify upon the issue so joined, or to be joined ; (10) and if any writ of certificate be made or granted, before that all the proclamations in the form aforesaid be made and certified, that then the said writ of certificate, and the certificate of the ordinary thereupon made or to be made, shall be void in law, and of none effect. (11) And if any writ before this time be directed to any ordinary, to certify if the said *Alianour*, wife of *James*, be bastard or not, and at this time not certified, if it be certified hereafter by virtue of the said writ, that the same certificate of the said ordinary so made, be void and of none effect. Rast. 19, 1033
280.

Statutes made at *Westminster*, Anno 10 HEN. VI.
and Anno Dom. 1432.

NOSTRE seignur le Roi a son parlement tenuz a Westm' le xije. jour de Maij lan de son regne disme a lonour de Dieu & pur le bien de luy & son roialme & pur la tranquillite & ease de son poeple de ladvis & assent des seignurs espirituelx & temporelx & a la especiale request des communes en mesme le parlement assemblez ad fait ordeiner & establer diverses estatuitz & ordinaunces en la fourme qensuist.

OUR lord the King, at his parliament bolden at Westminster the twelfth day of May, the tenth year of his reign, to the honour of God, and for the wealth of him and his realm, and for the tranquility and ease of his people, by the advice and assent of the lords spiritual and temporal, and at the special request of the commons in the same parliament assembled, hath caused to be enacted and established divers statutes and ordinances in the form following.

C A P. I.

Recognisances taken before the mayor, &c. of Calais, shall be effectual in England.

FIRST, whereas it is granted to the mayor and constables of the staple of *Calais*, by the charter of the King's noble progenitors, Ex edit.
Pulton.

Recognisances taken before the mayor of the staple of Calais shall be effectual within England.

progenitors, and by him confirmed, that they shall have power to take and record all recognisances of debts before them made by any person, and therefore great doubts were, if the recognisances before the said mayor and constables made beyond the sea, should be effectual and executory in all points within the realm of England, as the recognisances made before the mayor and constables of the staple of *Westminster* be: (2) Our lord the King willing in this case to take away all such doubts, by the advice and assent of the lords spiritual and temporal, and at the special request of the said commons, hath ordained by authority of the same parliament, That all the recognisances of debts before the said mayor and constables of *Calais*, made or to be made by any persons beyond the sea, shall be as effectual and executory, and of such force in all points within the realm, and in the same form executory, as the said recognisances made before the said mayor and constables of the staple of *Westminster*, or before any other mayors or constables of the staple within the said realm be.

C A P. II.

Certain things required in him who shall be a chooser of the knights of the parliament.

6 H. 6. c. 7.

ITEM, whereas at the parliament holden at Westminster the morrow of St. Matthew the apostle, the eighth year of the King that now is, it was ordained by the authority of the same parliament, That the knights of all counties within the realm of England, to be chosen to come to the parliament hereafter to be holden, should be chosen in every county by people dwelling and resident in the same, whereof every one shall have freehold to the value of forty shillings by year at the least, above all charges, upon a certain pain contained in the same statute; (2) not making express mention in the same, that every man that shall be chooser of any such knights, shall have freehold to the value of forty shillings at the least, above all charges, within the same county where such chooser with other like shall make such election, or elsewhere: (3) And therefore our lord the King, willing to make plain declaration of the said statute

ITEM come au parlement tenuz a Westm' lendemain de saint Mattheu l'apostle lan du regne nostre seigneur le Roi oepitisme ordine estoit & estable par auctorite de mesme le parlement que les chivalers des toutz countees deins le roialme d'Engleterre a esliers pur venir as parlementz en apres a tenirs soient esluz en chescun countee par gentz demurantz & resseantz en icelles dount chescun ait frank tenement a la value de xl. s. par an au meins outre les reprises sur certain peine contenuz en mesme lestatuit pient fessant expresse mention en icell que chescun qi serroit eslisour dascuns tielx chivalers averoit frank tenementz a la value de xl. s. ou meins outre les reprises deins mesme le countee ou ascun tiel eslisour oveque autres semblables serroit tiel election ou ailours. Et pur taunt nostre seigneur le Roi voillant faire du dit estatuit pleine declaration del advis & assent

assent fuïsditz & a la requeste des dites communes ad ordene qe les chivalers de toutz les countees deins le dit roialme a esliers pur venir a les parlements en apres a tenirs soient esluz en chescun countee par gentz demurantz & reseautz en icelles dount chescun ait frank tenement a la value de xl. s. par an au meins qutre les reprises deins mesme se countee ou ascun tiel eslisour foi voet meller dascun tiel election.

tute, by the advice and assent aforesaid, and at the special request of the said commons, hath ordained, That the knights of all counties within the said realm, to be chosen to come to parliaments hereafter to be holden, shall be chosen in every county by people dwelling and resident in the same, whereof every man shall have freehold to the value of xl. s. by the year at the least, above all charges, within the same county where any such chooser will meddle of any such election. A chooser of the knights of the parliament must be resident within the same county, and have freehold.

CAP. III.

A letter of request shall be granted by the keeper of the privy seal to any of the King's subjects, from whom goods shall be taken by the subjects of Denmark.

ITEM pur ceo qe nostre seigneur le Roi a la grevousse complaint a luy fait en icest parlement par les communes de son roialme esteantz en icell est ensourme qe pñsours de ses foialx lieges sont graundement empoverez anientez & en point destre destruitz par le Roi de Denmark & sez lieges qi sont del amistee du Roi nostre seigneur a cause quilz preignent de jour en autre de sez ditz foialx lieges lour biens parissint quilz ont pris des marchautz dEverwyk & Kyngeston sur Hull biens & marchandisez a la value de v. ¹/₄ li. dedeins un an & dautres lieges & marchaunts du roialme biens & chateuz a la value de xx. ¹/₄ li. dount ils nount remedie du dit Roi de Denmark ne de null autre a cause qe null de eux veigne deins le roialme dEngleterre ne reins ont en icelle & qe les beins sont prisez hors de mesme le roialme.

ITem, because that our sovereign lord the King, at the grievous complaint to him made in this parliament by the commons of his realm of England being in this parliament, is informed, That many of his faithful liege people be greatly impoverished, undone, and in point to be destroyed, by the King of Denmark and his lieges, which be of the amity of the King our sovereign lord, because that they do daily take of his said faithful subjects their goods, so that they have taken of merchants of York and Kingston upon Hull goods and merchandises to the value of five thousand pounds within a year, and of other lieges and merchants of the realm of England goods and chattels to the value of twenty thousand pounds, whereof they have no remedy of the said King of Denmark, nor of none other, inasmuch as none of them cometh within the realm of England, nor nothing have in the same realm of England, and that the goods

A letter of request shall be granted by the keeper of the privy seal, to any of the King's subjects from whom goods shall be taken by the subjects of the King of Denmark.

goods be taken out of the same realm: the King willing to provide remedy for his said liege people, hath ordained and established, That if the goods of any of the said his lieges be or shall be taken by the said King of Denmark, or any of his said lieges, the keeper of the privy seal for the time being shall have power to make to the party grieved letters of request under the privy seal, without any other pursuit to be made to any, for restitution to be had of the goods so taken and to be taken. And if restitution be not made by such letters, the King our sovereign lord, by the advice of his council, shall provide to the party grieved his covenantable remedy, according as the case requireth.

roialme. Mesme nostre seigneur le Roi voillant a sez ditz lieges purvoir de remedie del advis & assent suifditz ordine qe si les biens dascuns de sez ditz lieges soient ou ferront prisez par le dit Roi de Denmark ou ascuns de sez ditz lieges ait le dit gardein du prive seal pur le temps esteant poair de faire au partie greve lettres de request desoubz le prive seal saunz autre pursuite affaire a ascuny pur restitution avoir des biens issint prisez & apprendrez. Et si restitution ne soit fait par tielx lettres le Roi nostre seigneur par advis de son counceill purviera al partie greve covenantable remedie solone ceo qe le cas requiert.

C A P. IV.

The penalty of him that maketh a false entry, that the plaintiff doth offer himself in person, where he doth not.

ITEM, *For that divers of the King's liege people before this time have been outlawed, and greatly vexed and disquieted, in divers suits, as well before the King in his bench, as in the common bench, in the records of which suits the entries have been made, that the plaintiffs in the same suits* Obtulerunt se in propria persona sua, *where the same plaintiffs never appeared to such suits, nor had knowledge of the same, in great mischief of the said liege people, if remedy be not provided in this behalf; (2) our lord the King willing in this case to provide remedy, hath ordained and established by authority of this present parliament, That* no manner *Fyliser, Exigenter, nor any other officer, from henceforth shall make such entry*

The penalty of him that maketh a false entry, that the plaintiff doth offer himself in person, where he doth not.

ITEM pur ceo qe divers des lieges du Roi avaunt ces hocures ount estece utlagez & graundement vexez & disceifez en divers seutez sibien devaunt le Roi en son bank come en le commune bank en les recorder des queux seutes les entres ount estece faitz qe les pleintifs en mesmes les seutes Optulerunt se in propria persona sua lou mesmes les pleintifs unques napparerount as tieulx seutes ne conifance avoient dicelles en grande mischief des ditz lieges si remedie ne soit purveu en cell partie nostre seigneur le Roi voillant en ceo cas purvoir de remedie ad ordine par auctorite de cest parlement qe null filicer exigenter ne autre officer desore enavaunt ferra tiel entree

entree en aucun seute sinon qe le pleintif en mesme la sute a-
vaunt qe aucun tiel entre soit
fait appierte en sa propre per-
sone devaunt aucun des justices
de lieu ou le plea est ou sera
pendant & illeques soit juree
sur un liver qil est mesme la
persone en qi noun la dite suite
est sus ou qe autre creable per-
sone de son counseill face tiel
serement pur luy. Et durera
cest ordinance tanqal prochein
parlement.

try in any manner suit, except
that the plaintiff in the same
suit, before that such entry be
made, do appear in his proper
person before some of the said
justices of the place where the
plea is or shall be depending ;
(3) and there he shall be sworn
upon a book, That he is the
same person in whose name the
said suit is sued, or that some
other credible person of the
King's * council make such
oath for him. (4) And this
ordinance shall endure till the
next parliament.

* His counsel.
Made perpe-
tual by 18 H.
6. c. 9.

CAP. V.

*A rehearsal of the statute of 21 R. II. c. 18. touching the
maintenance of certain places about Calais.*

ITEM, whereas by a statute made the xxi. year of Richard Ex edit. Rast.
the Second, for two great works very necessary always to Calais.
be sustained and supported about the town of Calais, and the Beacons.
marches there, that is to say, the beacons before the port there,
and the place called *Paradise*, which is nigh to the ditches of the
same town, it was ordained and stablished, That all manner of
ships accustomed to come to the said port out of England (the
fishers boats only excepted) shall bring with them all their hast-
age of good stones, covenable for the stuffing of the said bea-
cons, thereof making reasonable deliverance from time to time
at their coming there, to the treasurer, which for the time shall
be, or to other ministers thereto by him ordained, upon pain
of iid. for the weight of every tun, and as much as the said
ships shall be of portage. And that all manner of ships enter-
ing to rest at the said place of *Paradise*, shall pay at every their
entry there iiiiid. sterling. And thereupon it shall be lawful to
them (if they will) to tarry there by four days, with as many
nights then next following, without paying any more for their
said entry. And in case that they abide longer than four days
and nights aforesaid, then they shall pay for every day and night
one penny, and for the only day an halfpenny, and for the only
night an halfpenny. And moreover, that no manner of person
presume to fasten any manner ship or boat by cable, cord, or
otherwise to the timber nor to the stones of the said beacons
nor *Paradise*, nor to the new Key, otherwise called the Wharf
at the side of the said port of Calais, upon pain of x. li. to be
levied of the ship, which so shall be found fastened. And that
the said treasurer, which for the time shall be, shall have full
power by him and his deputies to levy and receive the money of
the said pains incurred and rising: and thereof to make pay-
ment according as shall need in his office by the view and con-
trolment

stolment of the King's contrroller there, which statute amongst other things made in the same parliament was revoked and annulled in the parliament holden at *Westminster* the first year of King *Henry* the Fourth, to the great damage and hindrance of the said works, and to the grievous and importable costs of the King, if remedy be not hastily provided. And for so much our sovereign lord the King, by the advice and assent of the said lords spiritual and temporal, and also of the said commons being in this parliament, hath ordained and established, That the said statute, made the said xxi. year, be from henceforth a statute effectual, holden and kept, and put in due execution forever, according to the tenor of the same.

CAP. VI.

What process shall be awarded upon an indictment removed into the King's bench.

2 H. 6. c. 10.

ITEM, whereas in the parliament holden at *Westminster* the eighth year of the King that now is, it was ordained, That upon every indictment or appeal, by the which any of the King's liege people, dwelling in other foreign and divers counties than where such indictment or appeal is or shall be taken, of treason, felony, or trespass, to be taken hereafter before justices of peace, or before any other justice whatsoever, having power to take such indictments or appeals, or other commissioners or justices in any county, franchise, or liberty of England, before any exigent awarded upon any indictment or appeal in the form aforesaid to be taken, that presently after the first writ of *Capias* upon every such indictment or appeal awarded and returned, that another writ of *Capias* shall be awarded, directed to the sheriff of the county, whereof be that is so indicted or appealed is or was supposed to be conversant by the same indictment or appeal, returnable before the same justices or commissioners, before whom he is indicted or appealed, at a certain day, containing the space of three months from the date of the same writ to the return

ITEM come au parlement tenuz a *Westm'* lan du reigne nostre seigneur le Roi qorest viiie ordine estoit qe sur chescune enditement ou appell par la quell ascuns des lieges du Roi demurrantz en autres countees qe la ou tiel enditement ou appell soit ou serrais pris de trefon felonie ou trespais apprendre en apres ou devaunt justices de peas ou devaunt ascun autreiaint poair de prendre tielx enditementz ou appelles ou autres commissioners ou justices en ascun countee fraunchise ou libertee dEngleterre devaunt ascun exigent agarde sur ascun enditement ou appell en la fourme avaunt dite apprendre qe maintenant apres le primer brief de *Capias* sur chescun tiel enditement ou appell agarde & retourne qe un autre brief de *Capias* soit agarde direct al viscount del countee dount celuy qest enfy endite ou appelle est ou fuisit suppose destre conversant par mesme lenditement ou appell retournable devaunt mesmes les justices ou commissioners devaunt queux il est endite ou appelle a un certain jour conteignant le space de trois mois del date de mesme

mesme le brief & le retourne dicell come par mesme lestatuit pleinement appiert. Par quell clause du dit estatuit cestassavoir retournable devaunt mesme les justices ou commissioners devaunt queux il est endite ou appelle ascuns entendount qe le brief de Capias ordine par le dit estatuit qe serra direct al viscount del countee dount celuy qest ensi endite ou appelle est ou fust suppose destre conversant par mesme lenditement ou appell serra retourne devaunt mesme les justices ou commissioners ou autres devaunt queux lenditement ou appell fust pris & noupas ailleurs. Et ymaginantz pur defrauder & anientiser le dit estatuit suent pur remoever tielx enditementz & appelez hors des mains les justices & commissioners avautditz en le bank le Roi & ailleurs par Certiorari & autrement les parties ensi enditz ou appelez nient sachantz & sur ceo suent processe use a la commune ley devaunt la sefaunce du dit estatuit en le bank le Roi & ailleurs apres tiel remoevement en grande empoverissement & vexation des loialx lieges du Roy. Par qoy nostre seignur le Roi del advis & assent fufditz & al especial request des ditz communes par auctorite fuisdite ad ordine qe le dit estatuit soit tenez & gardez & mys en due execution en toutz pointz adjoustant a icell qe si ascuns tielx enditementz prisez ou apprendres devaunt ascuns des justices du peas ou devaunt aucun autre eiant poir de prendre tielx enditementz ou appell ou autres justices ou commissioners en aucune countee fraunhise ou liberte dEngleterre nient remoevez devaunt le Roi son bank ou ailleurs par

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return of the same, as by the same statute plainly appeareth. (2) By which clause of the same statute, that is to say, returnable before the same justices or commissioners before whom he is indicted or appealed, some do think that the writ of Capias ordained by the said statute, which shall be directed to the sheriff, whereof he that is so indicted or appealed is or was supposed to be conversant by the same indictment or appeal, shall be returned before the same justices or commissioners, or other before whom the indictment or appeal was taken, and not elsewhere. (3) And imagining to defraud and make frustrate the said statute, do sue to remove such indictments and appeals out of the hands of the justices or commissioners aforesaid into the King's bench and elsewhere by Certiorari and otherwise, unknown to the party so indicted, and thereupon sue the process used at the common law before the making of the said statute in the King's bench and elsewhere, after the removing, to the great impoverishing and vexation of the King's faithful subjects. (4) Wherefore the same our lord the King, by the advice and assent aforesaid, and at the special request of the said commons, by authority aforesaid hath ordained, That the said statute be holden and kept, and put in due execution in all points; (5) joined to the same, that if any such indictments taken, or to be taken, before any justices of peace, or before any other having power to take such indictments or appeals, or other justices or commissioners in any county, franchise or liberty of England, shall be removed before the King in his bench or elsewhere, by Certiorari or otherwise,

A confirmation of the statute 8 H. 6. c. 10. touching process upon indictments of persons dwelling in foreign counties. Rast. 52.

Process when the aforesaid indictments, &c. are removed into the King's bench.

wife, then after such removing, before any exigent awarded upon any such indictment or appeal in the form aforesaid taken, or to be taken, that presently after the first writ of *Capias* upon every such indictment or appeal awarded and returned, that another writ of *Capias* be awarded, directed to the sheriff of the county, whereof he that is so indicted or appealed is or was supposed to be conversant by the same indictment or appeal, returnable before the King in his bench at a certain day, containing the space of three months or four from the date of the said last writ of *Capias*, according to the manner and form that the justices of peace, and other in the said first statute contained, ought to have done, before such removing after the making of the said first statute. (6) And if any such exigent be hereafter awarded upon any such indictment or appeal after such removing against the form aforesaid, or any outlawry thereupon pronounced, as well the same exigent so awarded, as the outlawry thereupon to be pronounced, and every of them shall be holden for none and void, according as in the said first statute is more fully contained.

Certiorari ou autrement qe adonques apres tiel remoevement devaunt aucun exigend' argarde sur aucun tiel enditement ou appell en la fourme avaundite pris ou apprendre qe maintenant apres le primer brief de *Capias* sur chefcun tiel inditement ou appell agarde & retourne qe un autre brief de *Capias* soit agarde direct al viscount del countee dount celuy qest enditee ou appelle est ou fuist suppose destre conversant par mesme lenditement ou appelle retournable devaunt le Roi en son bank a un certain jour conteignant l'espace detrois mois ou quatre mois del date del dit darrein brief de *Capias* solonc les maner & forme qe les justices de peas & autres en le dit primer estatuit contenaz deussent avoir fait avaunt tiel remoevement puis la fesaunce du dit primer estatuit & enoustre deent faire processe solonc leffect & pur port del dit primer estatuit. Et si aucun exigende soit agarde en apres sur aucun tiel enditement ou appell apres tiel remoevement encoutre la fourme avaundite ou aucun utlagarie sur ceo pronouncie soit sibien celle exigende enu agarder come lurlagarie sur ceo a pronuncier & chefcun de euz tenuz pur null & voide solonc ceo qen le dit primer estatuit est contenaz pluis au plein.

CAP. VII.

All wools and woolfels that shall be carried to any other place than to Calais, shall be forfeited to the King and the finder.

Ex edit. Roll.
Staple of Calais.

ITEM, whereas by a statute it was ordained, That all the wools, woolfels, hides, lead and tin, and divers other merchandises passing out of the realm of *England*, the lands of *Ireland*, *Wales*, and *Berwick* upon *Tweed*, ought to repair to the staple of *Calais*, and to none other place beyond the sea, to be sold under the governance of the mayor and constables of the said staple, upon certain pains contained in the said statute, which pains be so easy and not doubted, that many take in cus-

tom to carry, and do daily to be carried out of the realm and lands aforeſaid, by divers means and ways, a great ſubſtance of the wools, woolfels, hides, lead and tin, and other merchandiſes, which ought to repair to the ſaid ſtaple, into *Scotland* and into *Flanders, Holland, Zealand, and Brabant*, without cuſtom or other charge thereof paying, as is paid for wools repairing to *Calais*: and alſo by the ſaid wools and merchandiſes ſo carried to the ſaid parts, there cometh no money into this realm of *England*, nor the ſame realm is increaſed, nor the mint at *Calais* ſuſtained; and moreover, the ſame wools and merchandiſes be ſold in the ſame parts at ſo little a price or value, that the merchants aliens be ſo greatly enſored of the ſame, that they come not to *Calais* to buy wools and woolfels, as they were accuſtomed to do, to the great loſs and damage of our ſovereign lord the King, and the univerſal damage of his realm, and great hindrance of the utterance of the commodities of the ſaid realm, repairing and being at the ſaid town of *Calais*, as the ſame our ſovereign lord the King hath conceived at the grievous complaint of the merchants and commons of the realm in this preſent parliament aſſembled: our ſovereign lord the King, conſidering the grievous loſſes and damages aforeſaid, hath ordained, That the value of all ſuch goods ſo found carried or to be carried to the ſaid parts, except thoſe wools and woolfels, which by our ſovereign lord the King be or ſhall be licenced: if there be any they ſhall be forfeit, whereof the ſame our ſovereign lord the King ſhall have the one half, and the perſon that eſpieth and proveth the ſame, by the diſcretion of the treaſurer and barons of the exchequer, ſhall have the other half. And that every man have power by authority of the ſame parliament, to make ſuch ſearch in every place where it ſhall be needful.

In rotulo parliamenti tenti apud Weſtm' duodecimo die Maii anno regni Regis HENRICI Sexti poſt conqueſtum decimo *ſtat. 2.* †

ITEM quedam alia petitio exhibitā fuit prefato domino Regi in parlamento predicto per prefatos communes pro justiciariis Pro justiciariis
servientibus
ad legem &
attornat. do-
mini regis. servientibus ad legem & attornato domini Regis in hec verba Pri-
ount les communes a iceſt preſent parlement aſſemblez qe pleaſe
a noſtre ſoverain' ſeignur le Roi par advis des tres reverentz &
tres graciosus ſeignurs a iceſt preſent parlement aſſemblez conſi-
derer coment les juſtices de bank le Roi & del commune bank
les juſtices as aſſiſes prendre aſſignez les ſergeantz et lattourney
du Roi pur le temps eſteantz devaunt ces hoeures feurent tout
temps paiez en mayns de lour fees & regarδες de Roi par les
treſorerz dEngleterre pur le temps eſteantz annuelment en les
termes de Paſque & ſeint Michell par ouelles portions tange al

† Mr. Cay obſerves that this is mentioned as a ſtatute in the Old A-
bridgment, and called *Statutum per ſe*; but that it ſeems to have been reſ-
pited, for it is not entered upon the Statute Roll, and was not publiſhed
as a ſtatute.

temps de William Kynwolmerthe jatarde tresorer d'Engleterre et puis qils feurent mys de prendre pur leur payment assignementz des dettours de Roi queux par tiels assignementz a la foitz riens saunz regarde payer ne voillent des queux dettours les ditz justices sergeantz & attourne ount esteé & sont tresmalement ou trop tarde & ove graundes delays ou jammes payez & outre souvent sont mys de querer & espier dettours du Roi des queux ils voillent avoir leur assignement la ou ils nount ne saunz grande daunger & diligence avoir poient conisaunce de tielx dettours ne a eux espier & querer & pour leur paymentz treter attendre ne poient saunz lesser faire leur office et service a Roi & le people deliverer & que expedient a Roi & a son people ou honeste ou convenient as offices des ditz justices sergeantz & attourne nest il mye de querer & espier les ditz dettours & eux per daungereus meismes intrer pur leur payment aver queux a la foitz pur ceo faire desiront & demaundont estre regardez ou non resonablement favourez encountre le serement des ditz justices serjeantz & attourne & de considerer auxi les grandes & continuels costages & expenses que les ditz justices sont en leur entendaunce en faisant leur ditz offices & servicez a Roi & le grande perde & damage qils ount de leur fees & gayne de ceo qils sont assignez justices qamounteront a graunt part plus que leur ditz fees & regardez de Roi et sur ceo par auctorite dicest present parlement d'ordiner que les ditz justices serjeantz & attourne de Roi pur le temps esteantz & chescun de eux soient paieez es mains de leur ditz fees & regardez de Roi en les ditz termes par les mains des tresorers d'Engleterre pur le temps esteantz et que meismes les tresorers soient tenez a ceo faire par issint que les ditz justices serjeantz & attourne ne covendra pur la poursuite de leur ditz paymentz aver de lesser faire leur ditz office & service a Roi deliverer le people quont a faire en leur offices avaunt ditz. *Qua quidem petitione in parlamento predicto lecta audita & intellecta de avisamento & assensu predictis prefate petitioni taliter fuit responsum fiat prout petitur.*

Statutes made at *Westminster*, Anno 11 HEN. VI.
and Anno Dom. 1433.

OUR sovereign lord the King,
at his parliament holden at
Westminster the eighth day of
July, the eleventh year of his
reign, to the reverence of God,
and for the weal of the people of
his realm, by the assent of the
lords spiritual and temporal, and
at the special request of the com-
mons of his realm in his said par-
liament assembled by authority of
the same parliament, hath ordained
and established divers statutes,
decla-

NOSTRE seigneur le Roy
a son parlement tenuz a
Westm' le viij. jour de jule lan
de son regne unzisime a la reve-
rence de Dieu & pur le bien du
people de son roialme del advis
& assent des seignurs espirituelx
& temporelx de mesme le
roialme & a la speciale request
dez communes de son dit
roialme en son dit roialme
esteantz par auctorite de mesme
le parlement ad fait ordeigne &

& estable certains estatutz declarations, and ordinances, in
clarations & ordinances en la the form following.
fourme qensuit.

C A P. I.

*They that dwell at the stews in Southwark shall not be im-
panelled in juries, nor keep any inn or tavern but there.*

FIRST, forasmuch as our said sovereign lord the King, at the
grievous complaint to him made by his said commons in
the same parliament, hath conceived, that divers persons of
great poverty, without conscience and of an evil governance,
now and late dwelling in a place suspected, called the Stews,
the borough of *Southwark*, in the county of *Surrey*, as well by
the receipt of common women, thieves, mankillers, and adul-
terers, as by murder and privy robberies, as well by themselves
as by many other there harboured without pity, loyalty, and
good conscience there done, have suddenly come to great riches,
by which they have purchased great livings of lands and tene-
ments, to great yearly values: and because of their sufficiency
of freehold so purchased, they have been returned by the sheriff
of the said county and other bailiffs in inquests, as well for
felony and trespass between the King and the party, and party
and party, as in assizes and other pleas of land before the King's
justices in his courts, and before the stewards and marshal of
his house, whereby divers disheritances and wrongful condem-
nations of many lawful lieges of our sovereign lord the King
have been had, and many murderers and notorious thieves have
been saved, great murders and robberies concealed and not
punished, and how the persons suspected inhabit them in com-
mon hosteries and taverns in the highways of the same borough,
there receiving thieves, common women, and other misdoers,
in like manner as they did in the said suspected place of the
stews: Our sovereign lord the King considering the premises,
and that such people without conscience be defamed, and may
not of reason be intending to bear witness of truth there where
truth should be inquired, hath ordained and established, That if
any such person be returned by any sheriff, bailiff, or other mi-
nister of our said sovereign lord the King in the said county of
Surrey, or by any officer before the steward and marshal of our
sovereign lord the King's house, as well for the King as for the
party, at all times from henceforth he may be challenged, and
the challenge in that part allowed for the cause before said. And
also for to avoid murders, robberies, and adulteries that might
by likelihood happen, it is ordained, That no such person,
which hath dwelled at the said stews, be suffered to hold any
common hostery or tavern in other place within the said borough
of *Southwark*, but only at the said stews. And that the justices
of peace in the same county shall have power to enquire of all
them that hold hosteries and taverns, and them to punish by
fine and ransom, and by imprisonment of their bodies, after the
discretion of the said justices.

Ex edit. Rast.

3 Inst. 206.

Stews.

Challenge.

Tavern.
Southwark.

CAP. II.

The penalty where a sheriff is named a disseisor in an assise.

ITEM, Whereas several persons do often sue assises of Novell disseisin before justices assigned against divers persons, and by craft and collusion, to have their writs of their said assises directed to the coroners of the counties where the tenements be, to make execution of the said writs, do name in their said assises the sheriff of the same county one of the disseisors, where he is not, neither ever was disseisor or tenant of the tenements in demand, whereby oftentimes the said assises be awarded by the default of the tenants which have no knowledge of those assises, for that they found not any assise against them in the file of the sheriff, nor have any suspicion of any such assise taken against the sheriff and them; (2) our lord the King, willing in this case to provide remedy, of the assent and authority aforesaid, hath ordained, That in all such assises purchased, at this time depending, or hereafter to be purchased, between any persons whatsoever they be, before any such justices, in which assises any such sheriff is named disseisor, if the tenants in the said assises or any of them will aver, that the said sheriff is not, nor ever was, disseisor, nor tenant of the tenements in demand, but was named disseisor by collusion, the averment shall be received. (3) And if it be found by the said assise, that the said sheriff is not, nor ever was, disseisor nor tenant of the tenements in demand, but was named disseisor by collusion, then the said justices shall cause to be abated and quashed the said writ purchased, or to be purchased in the form above-

said;

ITEM come divers gentz sovent foitz suent assises de Novell disseisyn devaunt justices assignez envers diversez persones & par subtilite & collusion pur avoir lour brefs de loures ditz assises directz as coroners des countees ou les tenementz sount pur faire execution dicell brefs sount nomer en loures ditz assises le viscount de meisme le counte une dez disseisours lou il nest ne unques fust disseisor ne tenaunt dez tenementz en demaunde parount sovent foitz lez ditz assises sount agardez par default dez tenantz queux nount my conuissance de ceux assises entant qils ne trouvent my aucune assise envers eux en la feloe de viscount & nount aucune suspicion de aucune tiel assise priz envers le viscount & eux nostre seigneur le Roi voillant en ceo cas purvoir de remedie del assent & auctorite suiditz ad ordeigne qen tous tiels assises purchasez & a present pendantz ou a purchasers desore enavaunt parentre queconques persones devant aucuns tiex justices en quex assises aucun tiel viscount soit nomez disseisor si lez tenantz en lez ditz assises ou aucun de eux voil averrer qe le dit viscount nest ne unques fust disseisor ne tenaunt dez tenementz en demaunde mais fust nome disseisor par collusion soit laverrement receuz. Et si trove soit par la dit assise qe le dit viscount ne soit ne unques fust disseisor ne tenaunt dez tenementz en demaunde mais fust nome disseisor par collusion adonques lez ditz justices facent abater & casser le dit brief purchase or purchaser en

The penalty where the sheriff is named disseisor in an assise to the intent that he shall not execute the writ.

en la fourme fuistit & qe lez
pleintifs ou pleintif soient ou
foit en le greve mercy le Roi.

faid; (4) and that the plaintiffs
or plaintiff be in the grievous
mercy of the King.

CAP. III.

An assise, &c. maintainable against the pernor of the profits.

ITEM come par estatuit fait
lan quart le Roy Henry
pier nostre seigneur le Roi quovest
enter autres ordene soit qe
les disseisees eient lour action en-
vers lez disseisours durant la
vie mesmes lez disseisours pa-
rents qe tiels lez disseisours ent
preigne lez profetes al temps
del sute commence sicome en
mesme lestatuit est contenuz
pluis au plain. Le quell estatuit
solonge loppinion dez plu-
sours ad este entenduz es brefs
dassises de Novel disseisin tant-
solement & si graundement
meschese est a lea parties de-
maundantz en autres brieves
suez & founduz sur Novell
disseisin come en assise. Et
voillant par tant mesme nostre
seigneur le Roi tous maners op-
pinions & doutes en cest parte
cesser ad ordene par lassent &
auctorite suiffditz qen tous ma-
ners dez brieves founduz sur le
Novell disseisin les disseisees
eient lour recoverer sils voillent
par tiels brieves envers lez dis-
seisours ou lour seffees auxi-
bien come ils averoient en as-
sise de Novell disseisin parissint
qe mesmes lez disseisours ou
lour seffees vers qui ou quex
le brefserra porte ent pregne
ou pregnont lez profetes al
temps del bref purchase nient
contrestant ascuns dons ou
seffementz faitz as autres per-
sones pur delaier lez demaun-
dantz.

ITEM, *Whereas by a statute* 4 H. 4. c. 7.

*made the fourth year of the
reign of King Henry, grandfather
of our lord the King that now is,
amongst other things it was or-
dained, That the disseisees shall
have their actions against the
disseisors during the lives of the
disseisors, so that such disseisors
thereof take the profits at the time
of the suit commenced, as in the
same statute is contained more
at large. The which statute,
according to the opinion of many,
hath been intended in writs of
assise of Novel disseisin only,
and as great mischief it is to the
parties demandants in other writs
sued and grounded upon No-
vel disseisin, as in assise. (2)*

Wherefore our lord the King,
willing all manner of opinions
and doubts in that behalf to
cease, hath ordained by the
assent and authority aforesaid,
That in all manner of writs
grounded upon *Novel disseisin*,
the disseisees shall have their
recoveries, if they will, by such
writs, against the disseisors or
their seoffees, as well as they
shall have in assise of *Novel dis-
seisin*, so that the same disseisors,
or their seoffees, against whom
the writ shall be brought, there-
of take the profits at the time
of the writ purchased, notwith-
standing any gifts or seoffments
made to other persons for to
delay the demandants.

As well other
actions as an
assise shall be
maintainable
against the
pernor of the
profits.

1 R. 2. c. 9.

1 H. 7. c. 1.

27 H. 8. c. 10.

CAP. IV.

The plaintiffs in attaint shall recover their costs and damages.

ITEM nostre seigneur le Roi
par la grevoule complaint
dez

ITEM our lord the King, by
the grievous complaint of his
several
pleas and de-
lays that were

in attaint at
the common
law.

commons, considering the mischiefs had within the realm, and yet not remedied, and also the great damage and disberison that cometh by the usual perjury of jurors impanelled upon inquests, as well in the courts of our lord the King, as of other, the which perjury doth abound and increase daily more than it was wont, for the great gifts that such jurors take of the parties in pleas sued in the said courts; (2) wherefore the greater part of people that have to sue in the said courts, leave their suits for the mischiefs aforesaid, and namely in respect of the delays that be in the writs of attaints; for that in times past in writs of attaints, when the grand jury had appeared in court, and were ready to pass, one of the tenants or defendants, or of the petty jurors named in such writs, sometime have pleaded false and saint pleas, which were not triable by the grand jury of the attaint, and by that means delayed the taking of such grand juries until such pleas were tried. And after such pleas tried and found for the plaintiffs, another of the jurors, tenants, or defendants, might plead another such false and saint plea after the last continuance in the same attaints, and so every of the defendants, jurors, or tenants, after other, might plead such false and saint plea, and delay the grand jury when it was ready to pass; (3) and though that all such false and saint pleas were found against them which pleaded, no pain was given them by the common law, (4) in regard of which delays, the grand juries in attaints have been often grievously vexed and travelled, and the plaintiffs in such attaints put to so great costs, and thereby impoverished, that they could not prosecute their said suits, wherefore the jurors be the more
en-

dez sez communes considerant lez grandes mescheys ewez deinz le roialme & unquore nient remedeiz & auxi le grande damage & disheretison qavient par le usuel perjure dex jurroures enpanellez en enquestes sibien en lez courtes du Roi come dautres la quell perjure habunde & encrece de jour en autre pluis qe soloit pur lex grandes dounes qe tiels jurroures pregnent de lez parties es plees suez en lez ditz courtes a taunt qe le greindre partie dez gentz qount a suer en lez ditz courtes lessent lour sutes par lencheson suifdit & nomement a cause qe lez delaies que fount en lez briefs datteintes purceo qe avaunt cez heures en briefs datteint quant le grande jure ad apparue en court & fuist prest de passer un dez tenantz ou defendantz ou des petites jurroures nomez en tielz briefs a le foith ount plees de feintes & fouxes plees quex ne fuerent triablez par la grande jure de latteint & par celle cause delaiez la prise dez tielx grandes juries tanque tielx plees fuerent triez. Et apres tielx plees triez & trouvez pur le plaintiffs une autre dez jurroures tenauntz ou defendantz purront pleder une autre tiel fauxe & feinte plee puis la darrein continuance en mesmes lez atteintez. Et issint checune dez defendantz jurroures ou tenantz apres lautre purroit pleder tiel fauxe & feinte plee & delaier la grande juree quant il fuist prest de passer. Et combien qe tous tiels faux & feinte plees furent trovez envers eux qui eux plederent nulle peine fuist donee envers eux par la commune ley a cause dez quex delaiez lez grandes jurees en atteintes ount

ount este sovent grevouement
vexez & laborez & lez pleintifs
en tiels atteintz myz a si
graunde costages & enfi en-
poverez qils ne purroient fuer
avaunt lours ditz suites par que
lez jurours ount este meulx
embaudez destre perjurez &
fair faux serementz en tiels cas-
ses. Et voillant sur ceo nostre
dit seigneur le Roi purvoier de
remedie a la request dez ditz
communes & de lassent des
seignurs defuifditz ad ordene
& estable qe les parties plain-
tifs en tous tiels atteintez reco-
verount lour damages & cos-
tages envers tous tiels tena-
untz jurours & defendants qils
ount sustenez en cele partie.

Et qe cest estatuit soy extende
auxibien as briefs datteintz ore
a purchaserez en temps avenir.

*encouraged to be perjured, and to
make their false oaths in such cases:*

(5) Our said lord the King, 23 H. 2. c. 3.
willing thereof to provide re-
medy, at the request of the said
commons, and by the assent
of the lords abovesaid, hath or-
dained and established, That
the parties plaintiffs in all such
attaints shall recover their da-
mages and costs against all such
tenants, jurors, and defen-
dants, which they have sustain-
ed in that behalf; and that this
statute extend as well to writs
of attaints now hanging, as to
writs of attaints to be purchas-
ed hereafter.

The plaintiff
in attaint shall
recover his
costs and da-
mages against
the jurors, te-
nants, and de-
fendants.

CAP. V.

*The remedy where a tenant granteth over his estate, taketh
the profits, and committeth waste.*

ITEM pur ceo qe lou diver-
ses gentz devaunt ces heures
ount lessiez lour terres & tene-
mentz as diverses persones ces-
tassavoir a terme de vie ou a
terme dautre vie & ascunes a
terme dez anz lez ditz tenauntz
sovent soitz ount graunte &
lessie lour estate queux avoient
en les ditz terres & tenementz
a plusoures persones al entent
qe ceux en la reversion cestas-
savoir leurs lessoures leurs
heires ou leurs assignes ne
ducent avoir consauance des
loures nounes & puis les ditz
premier tenauntz continuuel-
ment occupient lez ditz terres
& tenementz & ent pregnant
lez forssettes a lour propre use
& en lez ditz terres & tene-
mentz fount wast & destruc-
tion a disheritaunce de ceux en
la reversion ordeigne est & es-
table qe ceux en la reversion
en tiel cas purroient avoir &
main-

ITEM, Because that divers
people in times past have let
their lands and tenements to divers
persons, that is to say, some for
term of life or of another man's
life, and some for term of years, the
said tenants have oftentimes let and
granted their estate which they
had in the same lands and tene-
ments, to many persons, to the in-
tent that they in the reversion,
that is to say, their lessors, their

heirs, or their assigns, might not
have knowledge of their names,
and after the said first tenants
continually occupy the said lands
and tenements, and therefore take
the profits to their proper use, and
in the said lands and tenements
commit waste and destruction, to
the disheritance of them in the re-
version: (2) It is ordained and
established, That they in the
reversion in such case may have
and maintain a writ of waste
against the said tenants for
term

5 Co. 77.

A remedy for
him in rever-
sion where te-
nant for life
or years
granteth over
term

his estate, taketh the profits and committeth waste.

A proviso for him that holdeth his term, without impeachment of waste.

term of life, of another's life, or for years, and so recover against them the place wasted, and their treble damages, for the waste by them done, as they ought to have done for the waste committed by them before the said grant and lease of their estate. (3) Provided always, That this ordinance hold not place, but where the first tenants before the lease and grant of their said estates, in the manner and form aforesaid, were punishable of waste; (4) and also where after the said grant and lease the said first tenants of the said lands and tenements take the profits at the time of the waste done, to their own proper use. (5) And this ordinance shall extend as well to waste by such tenants done before this ordinance, as after.

maintenere brief de wast envers lez ditz tenauntz a terme de vie dautre vie & dez anz & issint recoverer envers eux le lieu waste & leurs trebles damages pur le wast issint par eux fait sicome ils dueent avoir fait pur le wast par eux fait devant lez ditz graunte & lessé de leur estate. Purveu toutz soitz qe cele ordenaunce ne tiegne lieu forsque lou lez premiers tenauntz devant lez lessé & le graunte de leur dit estare en le manere & fourme suisditz fuerent punissablez de wast et auxi lou apres le ditz graunt & lessé lez ditz premiers tenauntz dez ditz terres & tenementz pregnant lez profettes a leur propre opse demesne al temps de wast fait. Et qe cest ordenance soy extende auxibien al wast par tielx tenauntz fait devant cest ordenance come apres.

CAP. VI.

No suit pending before any justices, &c. shall be discontinued by a new commission.

Ed. 6. c. 7.

ITEM, Our lord the King considering the great losses and damages which oftentimes have come, and be likely to come hereafter, as well to himself as to many of his lieges, for that where as well divers indictments and suits for our lord the King, as other suits between party and party, have been taken before divers justices of the peace, assigned by several commissions of our said lord the King in divers counties of England, and divers pleas and processes upon those indictments have often been made, and hanging before the same justices not determined, the which pleas and processes have been often discontinued, by making of new commissions of the peace in those counties, to the great loss of our said lord the King and

ITEM nostre seigneur le Roi considerant lez grandes perdes & damages que sovent soitz ount avenuz & verisemblablement avendrount apres sibien a luy mesmes come a plusours dez sez lieges de ceo qe la ou sibien diversez enditementz & sutes pur nostre seigneur le Roi come autres sutes parentre parte & parte ount este prisez devant diversez justices de pees assignez par diversez commissions de Roi en diversez countes dEngleterre & diverses plees & processés sur icelles enditementz ount sovent este faitez & pendantz devant mesmes les justices nient determinez lez quex plees & processés sovent ount este discontinuez par faisaunces de novell com-

commissions du pees en icelles countes a graunde perde nostre dit seigneur le Roi & dez sez lieges & en retardation dez mesmez lez plees & surees & de la delivraunce dez sez ditz lieges. Et sur ceo nostre dit seigneur le Roi voillant purvoir de remedie de lassent & auctorite fuisditz ad ordene & estable qen tous tiels sutes & plees & proces en icelles apprendres & affaires devaunt justices de pees en aucune counte dEngleterre lez ditz plees & proces en tiels sutes affaires ne soient my discontinuiz par tiels novell commissions de pees affaires mes estoient mesmes lez plees & proceses en leur force. Et eient lez justices de mesmes lez novell commissions ensi assignez apres ceo quilz averount lez recordes dez ditz plees & proceses devaunt eux poair & auctorite dez lez ditz plees & proceses continuer & mesmes lez plees & processe & tous lez dependantz dicelles oier & finalement determiner sicome lez autres justices purrout & duissent avoir fait de & en icelles si null novell commission eust este fait.

and of his subjects, in delay of the same pleas and suits, and of the deliverance of his said subjects :

(2) And upon that our lord the King willing to provide remedy, of the assent and authority aforesaid, hath ordained and established, That in all such pleas, suits and processes, in them to be taken and to be made before justices of the peace in any county of *England*, the said pleas and processes in such suits to be done, shall not be discontinued by such new commissions of the peace to be made, but those pleas and processes shall stand in their force. (3) And the justices in the same new commissions so assigned, after that they shall have the records of the same pleas and processes before them, shall have power and authority to continue the said pleas and processes; and the same pleas and processes, and all that depend upon them, to hear and finally to determine, as the other justices might and ought to have done of and in the same, if no new commission had been made.

No suit before any justices or commissioners shall be discontinued by a new commission.

C A P. VII.

The statute of 9 H. VI. c. 7. which restraineth the sheriff of the county of Hereford to take money by extortion, &c. revived for three years.

I T E M, Whereas in the parliament holden at *Westminster* the Friday next before the feast of Saint *Hillary*, the ninth year of our sovereign lord the King that now is, for the great mischiefs and intolerable oppressions done to his lieges of the county of *Hereford*, by incroachings and extortions done by the sheriffs of the said county for the time being, late begun and wrongfully continued, for that the said sheriffs in their turns, and in other places after their turns holden and ended, in the which other places they have no authority nor power by their office to take any inquiry or inquest, they have taken divers inquiries, inquests of office, and indictments of labourers, craftsmen, and other divers things ordained by statute to be inquired before justices and commissioners of peace, and that in no manner

Ex edit. Rast.

the county of Hereford.

Sheriffs turns.

ner belong nor pertain to be inquired by such sheriffs in their turns, nor in any other place before them, and the which sheriffs by force of such inquiries, inquests of office and indictments not duly nor lawfully taken before the said sheriffs in their turns and without, and for the not coming of the said liege people to the said turns, the said sheriffs did take wrongfully to their proper use of divers of the said liege people fines and amerciaments of x. li. and other great sums, in great oppression, undoing and destruction of many poor people of the said lieges, if remedy should not be hastily provided in that behold, by consideration of which mischief it was ordained by the authority of the said parliament, That no sheriff nor undersheriff of the said county, from the said *Friday*, then forward, by colour of his office, should take any inquiry, inquest of office, or indictment in his turn, that ought not by the law to be taken in his turn, nor that he by colour of his office should take any inquiry, inquest of office, or indictment in any other place after his turn holden and ended, nor that he should take of any of the said lieges of our sovereign lord the King any fines or amerciaments for any thing or cause that do not belong to his turn or office, nor any such heinous or grievous amerciament of any of the said lieges against reason for default of coming to the said turn or to other place, or for other cause by colour of his office, upon pain of forty pounds by him to be paid to our sovereign lord the King, his heirs and successors, as often as such sheriff or undersheriff thereof or of any article thereof be duly convicted at the suit of our sovereign lord the King, or of the party grieved that will sue as well for the King as for himself. And that the party that will sue in such case have the half of the said sum, together with his double damages to his proper use. And that the party in this case grieved have power by the authority of the said parliament to sue in this behalf against such sheriffs and undersheriffs, as well for the King as for himself as before is said. And that the justices of peace of the same county for the time being, have power and authority to enquire, hear and determine such misprisions and offences, as well at the suit of our sovereign lord the King as of the party that will sue for the King and for himself. And that this ordinance endure for three years then next ensuing: Our sovereign lord the King, considering the said ordinance to be profitable for him and his people of the said county, hath ordained by authority of this present parliament, that the said ordinance shall stand in his force and effect for three years next ensuing.

C A P. VIII.

A confirmation of all statutes made touching weights and measures.

1 H. 5. c. 10.

ITEM, *Whereas in the parliament holden at Westminster the first year of King Henry, father of our lord the King that now is, it was ordained, That all the statutes*

ITEM come en le parlement tenuz a Westm' lan premer de Roi *Henri* pier nostre seigneur le Roi quorest ordene fuist qe tous lez estatutz

tuitz & ordenances dez mesures dez blees deussent estre fermement tenuz & garduz selonque lensect dicells. Et que nul dez purvoieurs de Roi nautre ne duissent en apres ne de celle temps enavaunt acheter ne prendre aucuns blees par autre mesure sinon par viij. busseix rasez pur le quarter et que null serroit tenuz autrement a delivrer pur le quarter sinon viij. busseix rasez pur le quarter come devaunt est dit et auxint que paiement serroit fait prestement pur le cariage dicelles. Et que si ascun purveieur ou autre persone dicelle temps enavaunt acchateroit ou purveroit aucuns blees autrement ou par autre mesure sinon viij. busseix pur le quarter come avaut est dit & de ceo serroit atteint averoit lenprisonnement dun an & qil paieroit au Roi C. s. & a parte que se sente greve autre C. s. & ceo atant dez foitz que aucune de ceux de ceo serroit atteint. Et que la parte que voudroit fuer averoit ent action founduz sur la cas. Et que lez justices de la pees duissent avoir poair denquerer & plee tenere dez touz lez choses avaunt ditz & sur ceo de faire punissement sibien al suit de Roi come de parte. Et que de celle temps enavaunt riens serroit priz pur le mesurage dez tiels blees en aucune manere. Et nient obstant aucuns ordenances & estatutz sibien lez pistours & tous autres marchantz & achaitours deins le franchises & cite de Londres come lez purveieurs le Roi dez blees & touz autres marchantz & communes achatours de blees en plusours citees villes burghes & countees dEngleterre continuelment de jour en autre achatent & pregnent
noef

statutes and ordinances made of measures of corn should be firmly holden and kept after the effect of the same; (2) and that no purveyors of the King, nor of other, should not after that time forth buy nor take any corn or other measure, but by eight busshels stricken for the quarter, and that none should be bound otherwise to deliver for the quarter but eight busshels stricken for the quarter, as before is said, (3) and also that payment shall be made presently for the carriage of the same. (4) And that if any purveyor of our lord the King, or of other person, from that time forward do buy or purvey any corn otherwise, or by other measure, than by eight busshels stricken for the quarter, as before is said, and of that be attained, he shall have one year's imprisonment, and shall pay to the King an hundred shillings, and to the party that seeleth him grieved another hundred shillings, and that as often as any of them shall be thereof attained; (5) and that the party that will sue shall have thereof an action grounded upon the case. (6) And that the justices of peace shall have power to inquire and to hold plea of all the things aforesaid, and thereupon to assign punishment, as well at the suit of the King as of the party; (7) and that from the same time forward nothing should be taken for the measuring of such corn in any manner. (8) And notwithstanding the said ordinances and statutes, as well the bakers, and all other merchants and buyers within the franchise and city of London, as the King's purveyors of corn, and all other merchants and common buyers of corn in many other cities, towns, boroughs, and counties of England, continually from day to day, do buy and take nine busshels for the quarter, that is to say, the bakers,

A measure in
London call'd
the Fat.

*kers, buyers, and merchants with-
in the city and franchises of Lon-
don, by a vessel called the Fat,
which containeth eight bushels of
corn with another bushel of corn
put to that for a quarter, and
make the sellers of the same corn
against their will to pay one half-
penny for the measuring of every
quarter, and all the other pur-
veyors, buyers, and merchants of
corn, nine bushels stricken for the
quarter, against the form of the
said ordinance and statute, and in
contempt of our lord the King, for
that the said ordinances and sta-
tutes be not proclaimed nor put in
execution, nor the said penalties
and forfeitures, limited by the said
statute, levied according to the
effect of the same statute. (9)*

A confirma-
tion of the
statute of
1 H. 5. c. 10.
& 8 H. 6. c. 5.
touching
weights and
measures.

Our said lord the King, willing
the same statute and ordinance
to be duly holden and kept,
by the assent and authority
above said, hath ordained,
That as well the said statute,
as the statute of weights and
measures, made at the parlia-
ment of our lord the King that
now is, the eighth year of his
reign, be proclaimed, as well
in the city of London, as in
all other cities, boroughs, and
counties of England, and put
in due execution after the form
and effect of the same; (10)
joining to the said statute made
the said eighth year, that in
every city, borough, and town
of the realm, there shall be a
common bushel sealed, and ac-
cording to the standard of the
exchequer, in the same manner
and form, and upon the same
pain, as in the same statute is
specified, and a common bal-
ance to be in every such city,
borough and town. (11) And
that the mayor of the said city
of London, and all other mayors
of all other cities and boroughs
of

noef busselx pur le quarter ces-
tassavoir lez pistours achatours
& merchantz deins le frau-
chises & cite de Londres par
une vessel appelle le fat que
contient viij. busselx dez blees
ove un autre bussel myz a icell
pur une quarter & fount lez
vendours dez ditz blees en-
coudre lour volunte de paier
une maille pur le mesurage de
chescun quarter & tous lez au-
tres purveours achatours &
merchantz dez ditz blees noef
busselx rasez pur le quarter
encoudre la fourme dez ditz
ordonances & estatuitz & en
contempt du Roi a cause qe
lez ditz estatuitz & ordonances
ne sont myz proclamez ne
myz en execution ne lez ditz
peynes & forfaitures par le dit
estatuit limitez levez solonque
lenfekt de mesme lestatut.
Nostre dit seigneur le Roi voil-
lant mesmes lestatuit & or-
dances estre doement tenuz &
garduz par assent & auctorite
suisditz ad ordene qe sibien les
ditz estatuitz come lestatuit
dez poies & mesours faitz au
parlement nostre dit seigneur le
Roi quorest lan de son regne viij.
soient proclamez sibien en la
dite cite de Londres come en
tous autres citees burghes &
countes dEngleterre & myz en
due execution solonque la four-
me & lenfekt dicelles adjoustant
a dit estatuit fait le dit an viij.
qen chescun cite burgh ou
ville du roialme soit une com-
mune bussel enseale & accord-
ant a lestandard de leschecker
en mesme la manere & fourme
& sur mesmes les peines come
en mesme lestatuit est specife
de une commune balaunce a
estre en chescune tiel cite burgh
ou ville. Et qe le mair de dit
cite de Londres & tous autres
mairs dez tous autres citees
&

There shall be
a common
bushel in every
town.

11 H. 7. c. 4.

& burghs d'Engleterre ou il y ad mair & tous baillifs dez citees & burghes ou mair nest & tous justices du pees de chefcun counte d'Engleterre pur les temps esteant eit & eient plein poair de mettre tous lez statuitz & ordenances avaunditiz en due execution & de oire & terminere tous lez defautes mesprisions offenses & trespas encountre la fourme & lenfect dez ditz estatuitz & ordenances faitz ou affaires ou perpetrez sibien al suit du Roi come de parte qen ceo cas se sont greve et de chefcun autre lieges du Roi qen celle parte voill suer pur le Roi et ceo sibien par examination dez parties ou aucune deux solonque la discretion dez ditz mairs baillifs & justices de peas come par issues a trier par inquisitions duement apprendre & autres plees et processs de la ley de la terre et qe sibien la parte greve come cheicun liege de Roi qui suer voill pur le Roi eit la suit en ceo cas a sa volute. Et qe celly qui issint soit atteint d'aucune defaute mesprisison offenses ou trespas fait encountre le dit estauit fait le dit an premier paie a celuy a qui lute il soit atteint C. s. & lez costages resonablez de sa dit suit & au Roi autre C. s. Et qe sibien le mair de Loundres pur le temps esteant apres ceo qil soit esluz mair & jure doins la dit citee a son premier venue a lecheker devant le tresorer d'Engleterre & lez barons de lecheker nostre seigneur le Roy com chefcune dez ditz autres mairs & baillifs en leurs serementz affaires pur leurs ditz offices soit charge & jure de faire garder & executer tous lestatuitz suiddit. Et qe tous lez mairs & baillifs dez citees & burghes

of *England* where there is a mayor, and all bailiffs of cities and boroughs where there is no mayor, and all justices of peace in every county of *England* for the time being, shall have full power to put all the statutes and ordinances aforesaid in due execution, and to hear and determine all the defaults, misprisions, offences, and trespasses against the form and effect of the said statutes and ordinances done, or to be done or committed, as well at the suit of the King, as of the party which in such case seel-eth himself grieved, and of any other of the King's liege people, which in this behalf will sue for the King, and that as well by examination of the parties, or any of them, according to the discretion of the said mayors, bailiffs, and justices of peace, as by issues to be tried, by inquisitions duly to be taken, and other pleas and processs of the law of the land; (12) and that as well the party grieved, as any other liege man of the King, that will sue for the King, shall have the suit in that case at his will; (13) and that he that is so attainted of any default, misprisison, offence, or trespass done against the said statute made the said first year, shall pay to him at whose suit he is thereof attainted, C. s. and his reasonable costs of the said suit, and to the King another C. s. (14) And that as well the mayor of *London* for the time being, after that he is chosen mayor, and sworn within the said city, at his first coming to the exchequer before the treasurer of *England*, and the barons of the King's exchequer, as every of the said

All mayors and bailiffs shall be sworn to execute the foresaid stat. touching weights and measures;

other

And account
for the profits
accrued to the
King by the
foresaid stat.

other mayors and bailiffs, in their oaths to be made for their said offices, shall be charged and sworn to do, keep, and execute all the statutes above said. (15) And that all the mayors and bailiffs of cities and boroughs of the realm, accomptable in the said exchequer, do yearly accompt in the said exchequer of the profits and forfeitures that may or ought to pertain to our lord the King by the form of the said statutes. (16) Saving always to lords, cities, and boroughs, their liberties and franchises granted to them by our said lord the King, or any of his progenitors, not revoked, repealed, or adnulled; (17) and saving always, That the said statute made the first year of King *Henry* the Fifth, and all other statutes of measures and weights afore made, stand in their force.

CAP. IX.

Of what length and breadth cloths called Streits shall be.

Ex edit
Pulton.

17 R. 2. c. 2.

7 H. 4. c. 10.

21 H. 4. c. 6.

ITEM, Whereas a statute made in the seventeenth year of King *Richard* the Second after the conquest, it was ordained, That every man of the realm might make and set to sale and sell cloths, as well kersies as other, of such length and breadth as him pleased, paying the aulnage, subsidy, and other devours, that is to say, of every piece of cloth after the rate, notwithstanding any statute, ordinance, proclamation, restraint or defence made to the contrary, (2) and that none sell nor put to sale any cloths before they be measured by the King's aulneger, and ensealed with the seal thereunto ordained, upon pain contained in the statutes thereof made, (3) and after in stat. made in the seventh year of King *Henry* the Fourth, grandfather of the lord the King that now is, it was also ordained, That the cloth of colour should contain in length eight and twenty yards measured by the back, and in breadth six quarters and a half; (4) and if the cloth-makers should make their cloths of less length or breadth, they should be forfeit to the King. (5) And after by another statute made in the eleventh year of the reign of King *Henry* the Fourth, it was ordained, That proclamation should be made openly through the realm, that no person making such manner of cloths or dozens within the realm, should be so hardy to tack and fold together such manner of cloths before that the aulneger hath made his search and surveying duly to the same cloths, that they hold their length and breadth, ordained by the said last statute made the said seventh year as in the same statute is more fully contained.

(6) Upon

(6) Upon which statutes made in the time of the said King Henry the Fourth, divers opinions have been holden in the King's exchequer, as the same our lord the King hath conceived by the complaint of the commons of his realm: (7) Our lord the King willing to repress such opinions, of the assent and authority abovesaid, hath declared, that this word (cloth) in the said statutes before rehearsed, shall have relation, and shall be understood of whole cloth called broad cloths and broad dozens, and not of other cloths and pieces of cloths called freits, now made, or to be made. (8) And moreover hath ordained and stablished, That every man may make, set to sale, and sell all manner of cloths called freits, containing in length fourteen yards, and in the breadth one yard unwatered, or else twelve yards watered, without impeachment of any officer of the King's, paying to the King the aulnage, subsidies, customs and other devoirs, that is to say, of every cloth, and of every piece of cloth, after the rate contained in the said statutes. (9) And if the makers of the said cloths called freits, make any cloths to sell of less length and breadth than next above declared, that then it shall be lawful to the aulneger to cut off the list at the one end of all such freit cloths, not containing the said length, and the same to be sold for a remnant for a piece, and not for a cloth: (10) And that no such cloths be put to sale until the aulneger hath measured them, made his search, and put to them the King's seal thereto ordained, upon pain of forfeiture of the same. (11) And if any aulneger enseal any such cloths called freits, not containing the length and breadth of the freits abovesaid, and cut not off the list of all such cloths that do not hold the said length and breadth of the freits, that then the said aulneger shall pay to the King for every piece of cloth so found defective, six shillings eight pence: (12) except always that all cloths called freits, made or to be made, until the day of the nativity of St. John the Baptist next coming, shall have licence to be sold and delivered until the feast of Christmas then next ensuing, of whatsoever length and breadth they be.

How this word (cloth) shall be interpreted, and of what cloths it is meant in the statute of 7 H. 4. c. 10. and 11 H. 4. c. 6. What length and breadth the cloths called freits shall contain. 27 El. c. 18.

Cloths shall not be put to sale until the aulneger hath measured them, and put a seal to them. The aulneger's penalty for sealing of defective cloth. 5 & 6 Ed. 6. c. 6. 4 & 5 Ph. & M. c. 5. 4 Jac. 1. c. 2. 11 W. 3. c. 20.

C A P. X.

He shall find sureties, &c. that sueth to defeat an execution upon a statute.

ITEM pur ceo qe diversez persones deinz cest roialme deuant cez heures sovent foitz out este priz & arestes par diversez viscountes & autres ministres de Roi par brefs issintz sibien hors de chauncery: Roi come de sez progeniurs pur execution avoir de versez reconisances faitz deunt lez mairs de lestaples de versez sommes dez quex sommes icells persones as quex la

ITEM, because divers persons within this realm in times past often have been taken and arrested by divers sheriffs and other officers of the King, by writs as well going out of the chancery of the King, as of his progenitors, to have execution of divers recognisances made before the mayors of the staple, of divers sums, of which sums such persons, to whom the duty belonged, had no convenient remedy, other than the said

Cro. Car. 67.

executions; (2) which persons, so taken and arrested for execution of the same recognisances, be oftentimes brought by divers writs De corpus cum causa before the King in his chancery, out of prisons in the which they be so kept by force of such executions, and there they do sue, shewing forth divers indentures, and other things in defaultance of such recognisances, desiring writs of Scire facias to warn the party or parties at whose suit they be taken and arrested, to answer thereunto; (3) and thereupon, by surety found to the King in the chancery, have been delivered out of prison, notwithstanding their said arrest for the execution of such recognisances, as above is said, no sureties found to the recognisees to whom they be so bound to satisfy them of their duties, in case that the matters comprised within the said writs of Scire facias be not found nor adjudged for the recognisors thereby bound; (4) whereby the said recognisees have been sometime greatly delayed of their execution, and sometime their execution utterly lost, and in time to come likely to be lost, for that no advantage nor avail thereof might come, be, or accrue to the said recognisees to whom such persons be so bound by the said surety so bound to the King, seeing the same person so bound may by the King's pardon be acquit and discharged for ever. (5) Our lord the King considering that the said recognisees, to whom persons be bound, are oftentimes without remedy, if so be that the said recognisors would not pursue forth their said writs of Scire facias with effect; or otherwise, that the matters of the said writs of Scire facias be found or adjudged against them, and thereupon they withdraw them to places privileged,

duite appent nount remedie covenable autre que lez ditz executions lez queux persones ensi prizez & arestuz pur lexe-cution de mesmes lez reconi-saunces sount sovent faitz venir par diversez briefs de Corpus cum causa devaunt le Roy en sa chauncery hors dez prisonnes es quex ils sount issint detenez a cause de tiel execution & illo-ques suent en monstrantz di-versez endentures & autres cho-ses en defaillaunces de tiel re-conisances enprisantz brief de Scire facias de garnier la partie ou lez parties a qui poursuit ils sount ensi prizez & arestuz a respoudre sur icelles. Et sur ceo fuerre trouve au Roi en la chauncery ount este deliverez hors du prisonne nient obstant lour de areste pur lexe-cutions dez tielx reconusaunces come desuis est dit nulle trovez as re-conusez as quex ils sount issint obligez de eux faterier dez leurs duetees en cas que lez maters compris deinz lez ditz briefs de Scire facias ne soient trovez ne adjudgez pur lez reconus-sours ensi obligez parount lez ditz reconusez ount aucun foitz graundement este delaiez de lour execution & aucun foitz lour execution ent toutoutre-ment perduz & en temps avenir verisemblablement a perdre a cause que null avantage ou avail-ent purra venir estre ou acresere as ditz reconusez as quex tiels persones sount issint obligez par la dit fuerre ensi trovez au Roi pur ceo que mesmes les persones issint obligez par pardon de Roi purrount estre quitez & dischargez par tous jours. Nostre-seigneur le Roi conside-rant que lez ditz reconusez as quex persones sount obligez so-vent foitz sount sanz remedie si ensi soit que mesmes lez re-

co-

conufours nemy voillont pur-
fuer avaut les ditz briefs de
Scire facias ovesque effect ou
autrement qe le matere de lour
ditz briefs de Scire facias soit
trove ou adjudge countre eux &
fur ceo ils soy retraihent as lieux
privilegez ou eux aloinent
hors du roialme ou autrement
qils ne my appergent issint qe
lour corps puissent estre myz
en execution a tresgrande ar-
rerisement & anientisement dez
tielx reconusez en temps aveig-
ner. Et auxi pur ceo qe le Roi
est inheritez de la prise de tielx
suertees a luy mesmes par la cours de la chauncery le Roi voet
qe tiels suertees desore en avaut soient faitz severalment sibien a
Roi come a parte.

*ledged, or eloen them out of the
realm, or else they would not ap-
pear, so that their bodies might
be put in execution; to the great
bindrance and undoing of such re-
cognisees in time to come; (6) and
also because that the King is in-
herited of the taking of such sur-
ties to himself by the course of the
chancery; (7) the king doth*
will that from henceforth such
sureties be made as well to the
King as to the party.

He shall find
surety to the
King and to
the party that
sueth to defeat
an execution
upon a statute
statute,

C A P. XI.

*The punishment of those that make assault upon any that come
to the parliament.*

ITEM le Roy voillant pur-
voier pur la ese & tranquil-
lite de eux qui viendront as
parlementz ou consels du Roi
de son commaundement ad or-
deigne & estable qe si ascune
asaut ou asray soit fait a ascune
seigneur espirituel ou temporel
chivaler de counte citezin ou
burgeis venuz au parlement ou
a counseill du Roi par son com-
maundement & la esteant &
entendant a parlement ou a
counseill qadonques soit procla-
mation fait par trois jours se-
veralx en le plus overt lieu
de la ville ou lassaut ou affaire
ferra ensi fait qe la parte qui
face tiel affraye ou assaute soy
rende devaut le Roy en son
banke deins une quarter dune
an apres la proclamation fait
fil soit el temps du terme ou
autrement al proschein jour en
le temps du terme ensuant le
dit quarter et fil ne face qil soit
atteint de la fait fuilddit & paie
al parte greve sez damages a
double a taxer par la discretion
dez justices du dit bank pur le
temps

ITEM, the King willing to
provide for the ease and
tranquility of them that come
to the parliaments and councils
of the King by his command-
ment, hath ordained and sta-
blished, That if any assault or
affray be made to any lord spi-
ritual or temporal, knight of
the shire, citizen or burges, or
other council of the King by
his commandment, and there
being and attending at the par-
liament or council, that then
proclamation shall be made in
the most open place of the
town by three several days,
where the assault or affray shall
be made, that the party that
made such affray or assault
yield himself before the King
in his bench within a quarter
of a year after the proclamation
made, if it be in the time of
the term, or otherwise at the
next day in the time of the
term following the next quar-
ter; (2) and if he do not,
that he be attainted of the said
deed,

The punish-
ment of such
as do make
assault upon
any that come
to the parlia-
ment, or other
council of the
King, &c.

deed, and pay to the party grieved his double damages, to be taxed by the discretion of the justices of the same bench for the time being, or by inquest, if it be needful, and make fine and ransom at the King's will; (3) and if he come, and be found guilty by inquest, by examination, or otherwise, of such affray or assault, then he shall pay to the party so grieved his double damages found by the inquest, or to be taxed by the discretion of the said justices, and make fine and ransom at the King's will, as above is said.

5 H. 4. c. 6.

CAP. XII.

What wax-chandlers shall take for their work of wax.

Ex edit.
Pulton.

How much
wax chandlers
may take for
the work of a
pound of wax
more than the
wax is worth.

Justices of
peace, mayors
chief officers
and stewards
may examine
and punish
offenders.

ITEM, our said lord the King hath conceived by the complaint of the said commons, That the wax-chandlers in divers parts of *England*, sell candles, images and figures, and other works of wax made for offerings, after the rate of a pound of wax for ij s. and more, where one pound of wax is no more worth than vjd. whereby they gain in every pound of wax so wrought xvij d. and more, by which means divers of the people be defrauded of their good intent and devotion, supposing such candles, images, and figures, and other works to be of reasonable value, according as they pay for the same, where they be of none or little value: (2) And therefore our lord the King, willing for such deceit to provide remedy convenient, hath ordained and established, That no person shall sell, nor put to sale any such candles, images, figures and other works of wax, at more higher price, but only after the rate of the price of iij d. more in the weight of a pound over that the common price of a pound of plain wax is between merchant and merchant at the time of such sale or putting to sale, upon pain to forfeit such candles, images, figures and other works of wax so put to sale, and the value of them that shall be sold against the form of this statute, and to make a fine to the King, if they be thereof duly attainted, or that it be found by examination, or due search by weights, or in other manner, that they have sold or put to sale any such candles, images, figures, or other works of wax against the form of this statute. (3) And that the justices of peace in every county where they be justices, shall have power to enquire hear and determine all things done against this statute: (4) And that as well every justice of peace in the county where he is justice, as mayors and bailiffs within the cities and boroughs, stewards of lords within the franchises of their lords, shall have power and authority to examine and search as well by weights of such candles, images, figures, and other works of wax, as in other manner by their discretion, all them

them that any thing shall hereafter do against this statute, and to punish them that by such examination or search shall be found guilty in the form abovesaid. (5) Provided that this statute do not extend to hearfes to be made for nobles that do die. Rep. 21 Jac. 1. c. 28.

C A P. XIII.

A confirmation for three years of the stat. of 8 Hen. VI. c. 18. that wool, &c. brought to Calais shall be sold for ready money.

ITEM, our said sovereign lord the King, for the wealth of Ex^{ed}. Raft. him and his realm, by the advice and assent of the said lords, and at the special request of his said commons, hath ordained: That the good ordinance and statute made the viii. year of his reign, that is to say, that the wools and woolfels and tin, repairing and coming to the staple of *Calais*, shall be sold for ready money to be paid in hand. And that the bullion be brought in his mint there, that is to say, of every farpler of wool sold for twelve marks and above, vi. pound of bullion, and of every farpler of wool sold under twelve marks. v. pound of bullion. And that lawful and due partition be made, according to the ordinance there at this time, to endure from the feast of the Annunciation of our Lady next to come, till the end of three years then next ensuing. Saving always to our sovereign lord the King power and authority to modify the same statute when him please, by the advice of his council, as it shall seem best to him for the profit of him and of his realm. Wools, woolfels, and tin. Bullion.

C A P. XIV.

It shall be felony to ship or carry any merchandises of the staple in creeks, during three years.

ITEM, whereas the customs and subsidies granted to our sovereign lord the King be alloigned and withdrawn, as well for lack of good search in the ports and creeks within the realm of *England*, as by other crafty imaginations of divers persons, carrying merchandises of the staple of *Calais* against the form of the said statutes thereof provided and ordained. Our sovereign lord the King, by the advice and authority abovesaid, hath ordained and stablished, That none upon pain of felony bring, carry, or ship, nor cause to be brought, carried, nor shipped, any such merchandises of the staple in any creeks within his realm of *England*, against the ordinance abovesaid. And this statute to endure till the end of three years next ensuing and no longer. Merchandises of the staple.

C A P. XV.

A customer shall discharge the merchant that hath paid his custom.

ITEM pur ceo qe nostre seignur le Roi par une petition a luy baillie en mesme le parlement par lez communes dicell

ITEM, for that our lord the King, by a petition to him delivered in the same parliament, by the commons of the same, for the

the merchants of the realm, hath perceived, That seeing the customers and controulers in the King's ports do not write any warrants in discharge of the said merchants of their merchandises by them shewed and duly custumed, some as well coming into the realm, as passing out of the same, the same customers and controulers do embexxle the King's customs, and the merchants be greatly bindered, because that the warrants might plainly shew and declare their due custom; when they be unduly impeached in the King's exchequer : (2) the same our lord the King considering the said deceits by the advice, assent, and authority abovesaid, hath ordained, That the said customers and controulers shall write and deliver sufficient warrants, sealed with the seal of their office to that ordained, to the said merchants, and to every of them, for all and every of their merchandises every time by them to the customers and controulers duly shewed ; (3) and that the said merchants, nor any of them, shall any thing pay for the said warrants, but only their due custom. (4) And in case that any customer or controuler, in any of the said ports, do the contrary, that then every merchant so grieved may have an action, by virtue of this ordinance, to pursue against every customer or controuler that doth the contrary in every court of record ; (5) and then every customer or controuler so attainted shall forfeit to the King for every default ten pounds, and to the merchant thereby grieved, that will sue, a hundred shillings.

A customer or controuler shall make a warrant to discharge a merchant that hath paid his custom.

dicell pur le marchauntz du roialme ad entendu qe pur tant qe lez customers & controullours en lez portes du Roi nescrivent ascuns garraunts en discharges des ditz merchauntz de lour merchandises par eux monstrez & duement customez ascuns sibien veignauntz en le roialme come passantz hors dicelle mesmes lez customers & controullours embesilent les custumes du Roi & lez ditz merchauntz sount graundement aientisez a cause qe lez ditz garrauntz purroient overtement declarer & monstrelour duecustom quant ils sount sovent nonduement enpechez en leschekerdu Roi. Mesme nostre seignur le Roi considerant lez ditz disceites de lavis assent & auctoorite suisditz ad ordeine qe lez ditz customers & controullours escrivent & deliverent sufficiantz garantz enselez ovelesqe le seal de lour office a ceo ordeinez as ditz merchauntz & a chescun de eux pur tous & chescune de lour merchandises chescun soit par eux as ditz customers & controullours duement monstrene mesmes lez merchantz ne null de eux rien paient pur lez ditz garrantz mes solement lour due custome. Et en cas qe chescun customer ou controullour en ascue des ditz pointes face le contrarie qadonques chescun marchand ensi greve poet avoir action par vertue de ceste ordenance a pursuer envers chescun customer ou controullour qi face le contrarie en chescune court de recorde & adonques chescun customer & controullour issint atteint puisse forfaire au Roi pur chescun defaute x. li. & a le merchant ensi greve qi voill suer C. s.

CAP. XVI.

The penalty for sealing of a blank cocket to deceive the King of his customs.

ITEM, forasmuch as our most redoubted sovereign lord the King is greatly deceived of his customs and subsidies, of that the customers of the said ports within the realm do seal blank scrowls in parchment, called Blank cockets, with their seals deputed to their offices, and them so sealed do deliver to the merchants, for to enter and write in them their goods and merchandises going out of the realm to the parts beyond the sea, the King not answered nor payed of his customs and subsidies of such goods and merchandises. It is ordained, by the advice and authority aforesaid, That if any customer seal any such blank scrowl with the seal assigned to his office, or if any merchant enter or write, or cause to be entered or written in such blank scrowl or charter so sealed, his goods or merchandises, thereby to defraud our sovereign lord the King of his customs and subsidies, then as well the same customer as the merchant shall be judged to forfeit all his goods and chattels, as they should forfeit in case of felony. And that they and every of them shall have the imprisonment of three years. And this act shall endure by three years next ensuing after the feast of St. Hillary next coming.

Ex edit. Rast.
Customers.
Blank cockets.

Statutes made at *Westminster*, Anno 14 HEN. VI.
and *Anno Dom.* 1435.

NOSTRE seigneur le Roi Henry le fisme apres le conquest a son parlement tenuz a Westm' le xe jour d'Ostobre lan de son regne qatorziesme de ladvis & assent des seignurs espirituels & temporels & a la especialle request des communes du roialme en mesme le parlement esteantz ad fait faire diverses estatutes & ordinances a lonour de Dieu & le bien de luy & son dit roialme en la forme ensuant.

OUR lord the King Henry the Sixth after the conquest, at his parliament holden at Westminster the tenth day of October, the fourteenth year of his reign, by the advice and assent of the lords spiritual and temporal, and at the special request of the commons of the realm, being in the same parliament hath caused to be made divers statutes and ordinances, to the honour of God, and for the wealth of him and his realm, in the form following.

CAP. I.

Justices of Nisi prius may give judgement of a man attainted or acquitted of felony.

EN primes nostre dit seigneur le Roy ad ordeine par auctorite del dit parlement que les

FIRST, our lord the King hath ordained, by the authority of the said parliament

13 Ed. 1. stat. 1.
c. 30.

The justices
of Nisi prius
have autho-
rity to give
judgment as
well where
one is attaint-
ed of treason
or felony, as
where he is
acquitted.

ment, That the justices before whom inquisitions, inquests, and juries, from henceforth shall be taken by the King's writ called *Nisi prius*, according to the form of the statute thereof made, shall have power of all the cases of felony and of treason, to give their judgments as well where a man is acquit of felony or of treason, as where he is thereof attainted, at the day and place where the said inquisitions, inquests and juries be so taken, and then from thenceforth to award execution to be made by force of the same judgments.

les justices devaunt queux inquisitions enquestes & juries enavaunt soient prisez par brief du Roi de Nisi prius joust la forme de lestatut en fait eient poair en toutz casez de felonie & trefon de rendre leur jugement sibien lou homme est acquite de felonie ou de trefon come lou it est ent atteint a jour & lieu ou les ditz inquisitions enquestes & juries issint soient prises & adonques illeokes de agarder execution de estre fait par force de mesmes les jugementz.

Dy. 120.

C A P. II.

Wools and fells shall not be exported but to Calais. Special exceptions in favour of the King, and his council, and the merchants of Venice, Genoa, &c.

Ex edit. Rast.
Wools.
Woolfels.

Bullion.

Calais.

Staple.

ITEM, forasmuch as the great number, quantity, and substance of the wools growing in the realm of *England*, by these three years past by ship, and in great jeopardy and doubt come to the town of *Calais*, there to be sold for ready money, whereof it behoveth the said merchants sellers to receive upon every farpler a certain portion of bullion, to be brought to the King's mint at *Calais*, the which ready money and bullion after that they be forged and coined, and received by the said merchants sellers, ought duly and equally to be distributed and departed to every one after his portion, to be sent into this realm, for the increafe and universal weal of the same, by virtue of certain statutes made in the parliament holden at *Westminster* the eighth year of our sovereign lord the King, and renewed in the parliament holden the eleventh year of his reign, which statutes be straitly observed and kept, as by such persons, which by undue means do ship wools in the creeks and other suspicious places, and also in divers ports of the realm, and them carry to other places than to *Calais*, and also by such persons, which in derogation of the universal weal of the realm, and in destruction of the good ordinance of partition, and in abatement of the price of wools, do purchase licences for their singular avail to ship wools to *Calais*, there to be sold before all other wools there being, and be not bound to keep the price, nor to receive no bullion, nor to make partition nor distribution of their money, in manner as all merchants of *England* there repairing be straitly bound to keep, do by statute aforesaid, by reason whereof the said merchants by the means and licences aforesaid be in point to be destroyed, the said staple to be

be dissevered and destroyed, and consequently the said town of *Calais*, which by the said staple hath hitherto been greatly maintained and enforced, is like to be undone and lost, and the said realm in point to be greatly hindered and hurt, as the same our sovereign lord the King hath conceived by the grievous complaint to him made in the same parliament by the commons of the same: therefore the same our sovereign lord the King, willing for the same in this case to provide a remedy, by the advice of the said lords spiritual and temporal, and at the supplication of the said commons, hath ordained in the same parliament, that no such licence, which is so prejudicial and contrary to the common and universal weal of his realm, and of his said merchants, and in destruction of the said town, and the said ordinance or partition, and of the price of the wools, shall in no wise be granted. And that every man, which shippeth, or doeth to be shipped any wools or woolfells, to carry them over the sea in any wise, shall repair with the same to *Calais*, and there discharge and sell the said wools and woolfells, after the tenour of the said statutes, and after the good rule and ordinance of the said staple, in maintenance and sustentation of the same, relief and increase of the said town of *Calais*, and for the public weal of this his realm of *England*. Saving always to our sovereign lord the King, power and authority, to modify the same statute when it shall please him, by advice of his council, according as to him best shall seem for the profit of him and of his realm of *England*. Saving also to the merchants of *Genoa*, *Venice*, *Tuscany*, *Lombardy*, *Florence* and *Catalonia*, and also the burgesses of *Berwick upon Tweed*, the liberties to them granted by a statute heretofore, and to all other the King's liege people the benefit of licence to them granted by the King by the advice of his council. 23 H. 6. c. 6.

CAP. III.

Where the justices of assise of Cumberland shall hold their sessions.

ITEM come par estatut fait en temps le Roi *Richard* ordonne soit que les justices d'assises prendre & gaolles deliverer assignez & assigners teignent leur sessions en les principalx & chiefs villes des singuliers countees castastavoir la ou les countes dicelles countees alors fuerent ou delors ferroient tenuz nostre seigneur le Roi voilant mesme lestatut en le countee de *Cumberland* estre observez & gardes considerant que la citee de *Cardoill* est la principale & chief citee & ville du dit coun-

ITEM, whereas by a statute made in the time of King *Richard the Second*, it was ordained, That the justices assigned, and to be assigned, to take assises and deliver gaols, shall hold their sessions in the principal and chief towns of every county, that is to say, where the shire courts of the counties heretofore were, and hereafter shall be holden; (2) our lord the King willing the same statute to be observed and kept in the county of *Cumberland*, considering that the city of *Carlisle* is the principal and chief city and

6 R. 2. c. 5.
The justices of the assise, &c. of the county of *Cumberland*, shall hold their sessions at *Carlisle*.

town lile.

down of the said county, and in the which the shire court of the same county hath been holden before this time; hath granted and ordained, by the authority of the same parliament, That the sessions of the justices to take assises and to deliver gaols in the county of Cumberland, be holden in time of peace and of truce, in the said city of Carlisle, and in no other place within the same county, as it hath been used and accustomed of old time.

countee & en la quelle la countee de mesme la countee ad esteo tenuz devaunt ces hoeures ad graunte & ordine par auctorite de mesme le parlement qe la session des justices d'assises prendre & de gaols deliverer en le dit countee de Cumberland soit tenuz en temps de pees & de trieux en la dite citee de Car-doill & en null autre lieu ou place deins mesme le countee come il ad esteo use & accustom dauncien temps.

CAP. IV.

The justices of the peace of Middlesex may keep their sessions but twice in the year.

a H. 5. c. 4.

ITEM, whereas it was ordained by a statute, That the justices of peace of all the counties of England for the time being, shall sit and hold their session four times by the year, to inquire and execute all charges contained in their commission, which they be sworn to do according to the form of the said statute, upon a great pain, as by the same statute more fully appeareth: (2) our lord the King, considering that all the high courts be set and holden in the county of Middlesex, continually during all the four times of the term, by which times of term the commons inhabiting in and of the same county, must attend from time to time to inquire of all the articles to the said courts belonging, as reason and law requireth, and that presently after every of the said terms ended, the said justices of the said county do sit and hold their sessions in the same county, as they ought to do, by force of the said statute, more to avoid the said penalty, than for any other necessary thing there to be inquired, at which sessions they cause to come before them a great part

ITEM come ordine soit par estatut qe les justices de pees de toutz les countees d'Engleterre pur le temps esteantz seiront & tiendront lour sessions quatre temps par an pur enquerer & executer toutz charges contenuz en leur commysion le quell ils sount jurrez de faire solonc la forme du dit estatut sur grande peine sicome par mesme estatut plus pleinement appiert. Nostre seignur le Roi considerant qe toutz ses hautz countes sount assiz & tenuz en le countee de Midd' continuellement durantz toutz les quatre temps de terme par les quelx temps de terme les communes & enhabitantz en & de mesme le countee coviendront entendre de temps en temps denquerer toutz les articles as ditz courtes appartenantz come reason & ley requiront & qe maintenaunt apres chescun des ditz termes fines les ditz justices du peas du dit countee de Midd' seient tiegnent lour sessions in mesme le countee come ils deussent faire par force du dit estatut

statuit pluis pur eviter la dit
peine qe par ascun autre chose
necessaire ileoques destre enquis
a les quelles sessions ils sount
faire venir devaunt eux graunde
partie des enhabitantz & com-
muners du dit countee de Midd'
pur enquerre des toutz ma-
ners des choses come lour sount
donez en charge & issint ils
sount vexez & chargez parmye
tout lan sibien hors le temps
de terme come en le temps de
terme si qe ils nount ascun re-
pose ne temps de faire lour hus-
bandriez & lour labour pur
lour vivre en ascun maner gay-
ner a lour final destruction sils
ne soient succurrez en celle
partie. Et voillant purtaunt
mesme nostre seigneur le Roi en
ceo cas lour purvoier de reme-
die ad ordine par advis & assent
suisditz & a la request des ditz
communes du roialm qe les
justices du peas qore sount &
toutz autres pur le temps de-
fore esteantz en le dit countee
de Midd' sount tout outrement
dischargez de la dite peine par
auctorite de mesme le parle-
ment a toutz temps desore a-
venir la court du bank le Roi
estuant seant en le dit coun-
tee de Midd'. Purveu toutz
foitz qe les ditz justices du
peas del dit countee de
Midd' pur le temps esteantz
gardent observent & executent
la courte des sessions du peas
deux foitz en lan au meyns &
plusours de temps sil bosoigne
par ascun riote ou forcible en-
tre fait deins mesme le countee
de Midd' & ceo sur le peine &
forfaiture detielx summes come
sount pur ceo ordinez par as-
cun le fait devaunt ces hoeures
au fyn & entent qe les ditz
communes & enhabitantz del
dit countee de Midd' ne soient

artes

*part of the inhabitants and com-
mons of the said county of Middle-
sex, to inquire of all manner of
things as to them is given in
charge; and by that means they
be charged and vexed throughout
all the year, as well out of the
time of term, as in time of term,
so that they have no rest, nor time
to do their husbandry and their
labour, to get their living in any
wise, to their utter undoing if they
be not relieved in this behalf. (3)*

Therefore the same our lord
the King willing in this case
to provide for them a remedy,
hath ordained by the advice
and assent aforesaid, and at the
request of the said commons
of the realm, That the justices
of peace which now be, and
all other hereafter for the time
being, in the said county of
Middlesex, shall be clearly dis-
charged of the said penalty, by
authority of the same parlia-
ment, from henceforth, the
court of the King's bench
being set in the said county-
ty of *Middlesex*. (4) Pro-
vided always, That the said
justices of the peace of the
said county of *Middlesex*, for
the time being, keep, ob-
serve, and execute the court of
the sessions of the peace, two
times in the year at the least,
and more often if need be, for
any riot or forcible entry made
within the same county of
Middlesex, and that upon the
pain and forfeiture of such
sums as be for that ordained
by any law made before this
time: to the end and intent
that the said commons and in-
habitants of the said county of
Middlesex be not inforced nor
compelled to appear before the
justices of peace of the same
county for the time being, but

The justices
of the peace
in *Middlesex*
shall keep
their sessions
but twice in
the year,
saying to in-
quire of riots
or forcible
entries.

at

at such time which shall seem by the discretions of the same justices of peace necessary and behoofeful.

artes ne compelles pur apparer devaunt les justices du peas de mesme le countee pur le temps esteantz forske a tiel temps qi sembleront par les discretions de mesmes les justices du peas necessaries & besoignables.

CAP. V.

Merchandises of the staple shipped in creeks shall be forfeited to the King, &c.

Ex edit Pult.

ITEM, it was shewed to our lord the King by the commons of the same parliament, That as well because of undue search made in the ports and creeks within the realm upon divers persons, which by subtil imaginations and means do ship wool and woofels, and several other merchandises which ought to repair to the staple of *Calais*, and them carry and convey to divers other parts beyond the sea, without paying custom, against the tenor of the statute thereof made and ordained, by the which means the customs and subsidies granted to the King be greatly impaired and decayed: (2) it was ordained by the King and all the lords spiritual and temporal, and the commons in this present parliament holden at *Westminster*, the eleventh year of our lord the King that now is, that none upon pain of felony, should carry nor ship any such merchandises in the staple in the creeks within the said realm against the ordinance aforesaid: (3) nevertheless, divers persons having no fear of the said statute, customably ship as well in the ports as in the creeks aforesaid, by undue means, great value of wools, woofels, and of other merchandises of the staple, and them carry into *Flanders, Holland, Zealand, Brabant* and *Normandy*, without paying any custom for the same: (4) and moreover, divers persons do ship customably wools and woofels, in divers parts of the realm of *England*, which be cocketed and accustomed to go to *Calais*, and come not there, but the same wools and woofels carry into other parts aforesaid, contrary to the statute thereof ordained, by the which untrue means the King is greatly endamaged and defrauded of his customs and subsidies, and the said staple within short time in point to be clearly destroyed, the town of *Calais* impoverished and decayed, and the realm not increased: (5) our lord the King considering the premisses, hath ordained by the statute aforesaid, That all the wools and woofels, and all other merchandises which by statute ought to repair to the said staple, found in any creek, shipped contrary to the said statute and ordinance, shall be forfeit to our lord the King: (6) and moreover, that every person whatsoever he be, which at any time shall ship or cause to be shipped any manner of wools, woofels, and other merchandises to go to the staple aforesaid, and come not there, shall forfeit as much goods as the wools, woofels, and other merchandises by them so shipped and carried to other places

All merchandises of the staple shipped in creeks, shall be forfeited to the King.

places than to *Calais* do amount, by extent after the very value, (except the merchandises which be to be excepted to pals by the King's licence to other places.) Reserved always to the King the whole moiety of such forfeitures, which be cocketted and accustomed to go to *Calais*, and come not there, as afore is said; and to them which find and seise the merchandises, the other moiety, without any diminution or abatement. (7) And if any person take any wools, woolfels, or any other merchandise of the staple, in any suspicious place adjoining to the water-side, in whatsoever place that it be, and no indenture thereof made betwixt him and the mayor, bailiff or constable of the town in the which such wools, woolfels, and other merchandises of the staple, be so layed, that then the same wools, woolfels, and merchandises be forfeit; (8) and that the King have one moiety of all such forfeitures, and the lords of the town where such merchandises be so layed, and he which them find and seise, the other moiety to be equally divided betwixt them. (9) And every man shall have power by authority aforesaid to make search in every place for such goods of the staple so carried or shipped, or laid to be shipped, as afore is said, without impediment or disturbance of any person.

Merchandises
laid in secret
places by the
water-side
to be trans-
ported, shall
be forfeited.

18 H. 6. c. 4.

CAP. VI.

None shall disturb an alien that bringeth in victuals to sell in gross, or by retail.

ITEM nostre seigneur le Roi enforme par les ditz communes comment en lestatuit fait lan vje le Roi *Richard* nadgaris Roi d'Engleterre seconde ordi- ne & accorde estoit qe chescun forein & alien esteant del amiste du Roi & du roialme & veniant deins la citee de *Loundres* & autres citees burghs & villes deins le dit roialme sibi deins fraunchise come dehors qvesqe pesson. & autres vitailles qeconques illeques demurantz & retournantz serroit dedors de soubz le sauf garde & especial protection du Roi & qe bien life a eux & a chescun de eux qils puissent trencher pesson & vitailx suisditz par peces & a tail & a retaill en partie ou en tout ou en gros come meulx lour semblera vendre & lour profit faire sanz empeschement ou contre dit de nully non obstantz
alsurs

ITEM, our lord the King is 6 R. 2. c. 20. informed by the said commons, how in the statute made the sixth year of King *Richard the Second*, late King of England, it was ordained and accorded, that every foreign and alien being of the amity of our lord the King, and of the realm, coming within the city of *London*, and other cities, boroughs, and towns within the said realm of England, as well within franchises as without, with fish, and other victuals whatsoever, there abiding and returning, should be from thenceforth under the safeguard and special protection of our lord the King, and that it should be lawful to them, and to every of them, that they might cut fish and victuals aforesaid by pieces, and to tail and retail them in part, and in whole, or in gross, as they shall think best, to sell and make their profit, without impeachment or contradiction of any
ret-

*notwithstanding any statute, charters, ordinances, privileges, or customs made or had to the contrary; (2) and thereupon by a statute made the first year of King Henry the Fourth it was ordained and stablished, That the said statute and ordinance, made the sixth year, should be firmly holden and kept and duly executed, after the form and effect of the same, notwithstanding any letters patents of late granted to the fishmongers of the city of London, as in the said statute, made the first year, fully appeareth; by the supplication of the commons aforesaid hath made, ordained, and stablished by authority aforesaid, That the said statutes shall be firmly holden and kept, any other statutes or ordinances made to the contrary notwithstanding; (3) joined to the same, That if any man disturb any foreign or alien to sell their fish in gros or at retail, in part or in whole, contrary to the said ordinances, and thereof be duly attainted at the suit of the King, or of the party, that then he shall forfeit x li. (4) And he that will sue for our lord the King, or for himself, shall have the one half, and the King the other half. (5) And such suit shall be taken for any offence committed in the city of London against the said ordinance, for him which will sue for our lord the King, or for himself, in what county that pleaseth him, of the counties of *Midlesex, Hertford, Essex, Kent, Surry*, or in the city of *London*.*

ascuns estatutz chartres ordinaunces privileges ou custumes faitx ou ewes a contrarie & sur ceo par un autre estatuit fait lan primer le Roi *Henri* quart fuit ordine & estable qe les ditz ordinaunce & estatuit faitz le dit an vje serroit fermement tenuz & gardez & duement executz solonc la forme & effect dicelles nient contristeantz ascuns lettres patentez nadgairs grauntz au contrarie as peffoners le *Loundres* come en le dit estatuit fait le dit an primer pleinement appiert a la supplication des ditz communes ad ordine & estable par auctorite fuisdite qe les ditz estatuitz soient fermement tenuz & gardez ascuns autres estatuitz ou ordinaunces faitz au contrarie nient obstantz Ajoustantz a icell qe si ascun homme destourbe ascun forein ou alien de vendre lour peffons en groos ou retaille en partie ou en tout au contrarie dez ditz ordinaunces & de ceo soit duement atteint, al suite de Roi ou de partie qadonques il forfera xl. li.' & celuy qi voudra suer pur le Roi ou pur luy mesmes avera lune moitee & le Roi lautre moitee & soit tiel suyte pris pur ascun offense fait en la citee de *Loundres* encountre le dit ordinance pur celuy qi veudra suer pur le Roi ou pur luy mesmes en quel countee qe luy plerra des countees de *Midd' Hert' Essex Kent' Surr'* ou en la citee de *Loundres*.

The forfeiture of him who disturbeth an alien bringing in victuals to sell them in gros or by retail.

9 Ed. 3. stat. 1.

C. 1.

27 Ed. 3. stat. 2.

C. 5.

22 R. 2. c. 7.

CAP. VII.

Merchandises taken in ships of the King's enemies, though belonging to foreigners in amity with the King, shall not be restored.

ITEM, our sovereign lord the King, considering by the grievous complaint to him made by the said commons, how that the aliens of the King's amity do freight and charge the ships and other vessels of (the enemies of our sovereign lord) the King of Spain, which thing doth support and greatly enforce the money of the said enemies, and also it is the stronger mean that enforceth them of Rochel, and divers other of the King's adversaries. And if it happen that any ships or vessels of the said enemies, with any merchandises so charged be taken by the King's liege people upon the sea, the said aliens of the amity aforesaid, by colour of false charters, doubles, letters of marque counterfeited, and false witnesses of their nation, claim and demand the goods and merchandises of the said enemies, so taken upon the sea, as their proper goods, and the same goods and merchandises be restored, to the great hindrance of them which them have taken, and abasement of the courage of the said liege people: and forasmuch as our sovereign lord the King willing therefore to provide a remedy, hath granted and ordained by authority aforesaid: inasmuch that it is not contrary to the league made betwixt him and some of his allies, That if it happen that any merchandises of the aliens of the amity aforesaid be taken by the said lieges after the feast of Saint Michael the archangel, next coming, or any ships or vessels of the said enemies of our sovereign lord the King, not being under the King's safe conduct or protection, that then the said lieges may them retain and enjoy without any impeachment or restitution thereof to be made: and this ordinance shall endure by three years next ensuing, and longer, if it please our said sovereign lord the King.

CAP. VIII.

The statute of 2 HEN. V. stat. 1. cap. 6. touching breakers of truce, suspended.

ITEM, whereas it was declared and ordained by a statute made the second year of King Henry the Fifth, forasmuch as before the said ordinance, divers people comprised within the truce, as well made by the said late King as by his father, grandfather to the king that now is, and other also having safe conducts, as well of the said late King Henry the Fifth, father to our said sovereign lord, as of his said grandfather, some have been slain, robbed and spoiled, by the King's liege people and subjects, as well upon the main sea, as within the ports and coasts of the sea of the realm of England, Ireland, and of Wales, whereby the said truce and safe conducts have been broken and offended, to the great dishonour and slander of the King, and against his dignity, and the said manslaughterers, robbers, and spoilers, and offenders of the said truce and the King's safe conducts, as afore is declared, have been by divers the King's lieges and subjects within the coasts of

Treason.

20 H. 6. c. 11.

divers countie received, abetted, procured, counselled, hired, sustained, and maintained: that such slaying, robbery, breaking of such truce and the King's safe conduits, and wilful receipt, abettment, procurement, counsel, hire, sustenance, and maintenance of such persons to be made in time to come, by the King's lieges and subjects within the realm of England, and of Ireland, and of Wales, or upon the main sea, shall be adjudged and determined for high treason, done against the crown and the King's dignity: our sovereign lord the King, considering the pains contained and specified in the said statute, be so rigorous and grievous against his liege people and subjects, and them so straitly do bind, that the King's adversaries and enemies be greatly encouraged and comforted to make war against the said liege people: and many of the said liege people and subjects, as well upon the main sea and coasts of the sea, as in the marches of the realm of England, oftentimes have been some robbed, and some spoiled, and some slain, whereby many of the same lieges, inhabiting in the marches and coasts aforesaid, be greatly hindered and impoverished, and in point to be finally destroyed: and the mariners and merchants of the King to pass upon the sea with their ships and vessels with their merchandises, or otherwise to make war for the safeguard of the sea, be greatly discouraged and abashed, and the navy of the realm in point to be destroyed, and the said merchants clearly discomforted, to do to be renewed any ships or vessels: hath ordained, by the advice, assent and authority aforesaid, That none of the said lieges and subjects of the King, by force of the said statute, for nothing by him attempted, done or to be done against the form and tenour of the said statute, within seven years next ensuing, after the said tenth day of October, be in any wise punished, impeached, molested, or grieved, by force of the said statute, nor shall incur no pain for the same otherwise than he ought before the making the said statute. But that he, his heirs and executors of all things and pains contained and specified in the said statute, as by force of the same statute, because of any offence done during the time aforesaid against our said sovereign lord the King, his heirs and successors, be clearly quit and discharged for ever.

Statutes made at *Westminster*, Anno 15 HEN. VI.
and Anno Dom. 1436.

AT the parliament holden at Westminster the one and twentieth day of January, the fifteenth year of the reign of King Henry the Sixth after the conquest, by the advice and assent of the lords spiritual and temporal, and at the special instance and request of the commons of the realm; the same our lord the King hath caused to be ordained certain statutes to the honour of God, and the

NOSTRE souverain seigneur le Roy Henry le sixme apres le conquest a son parlement tenuz a Westm' le xxje jour de Januaire lan de son regne xvme de ladvis & assent des seignurs espirituelx & temporelx & a lespecial instance & requeste de les communes du roialme en mesme le parlement esteantz ad fait ordeinez & establiez certains statutz & ordinances

nances al honour de Dieu & le bien & profite de luy & de son dit roialme en la fourme qensuit.

the profit of him and his realm, in the form following :

CAP. I.

Where in a suit before the marshal, the defendant may plead, that the plaintiff or he are not of the King's house.

EN primes pur ceo qe les seneschall & mareschall de hostell. du Roy & leur deputees avaunt ces heures ount tenuz devaunt eux plees de dette detenu & autres plees personex moevez parentre gentz q' ne furent de mesme hostell en leur recorde faisantz mention qe les plaintifs & defendants de mesme les plees furent del dit hostell & a lez parties defendants en mesmes les plees ne allowent leur chaleng & exceptions par eux aleggez qe ils mesmes ou les plaintifs en mesmes les suites ne sont pas de mesme hostell encoultre les leys & estatuts ent avant ces heures eus & faitz parout divers des lieges nostre dit seigneur le Roi en sa court devaunt lez ditz seneschall & mareschall tenuz souvent foitz encoultre le seic sont grevousment vexez & entroublez a leur grande damage & anientissement. Nostre dit seigneur le Roi les premisses considerez ad ordeine par auctorite de mesme le parlement qe en chescun seurte desore ennavant pur les defendants aprendre ils ne soient estoppes par tel recorde a dire quilz mesmes ou les plaintifs en mesme recorde especifiez ne furent temps du dit plee ou suit amence del hostell du Roy ne par mesme le recorde est pose eins eient lez ditz defendants leur averement a dire mesmes ou les ditz plaintifs

OL. III.

FIRST, *Because that the steward and marshal of the King's house and their deputies before this time have holden before them pleas of debt, detinue, and other pleas personal moved betwixt people which were not of the same house, making mention in their records, that the plaintiffs and defendants of the same pleas were of the said house, (2) and do not allow to the parties defendants in the same pleas their challenges and exceptions by them alledged, that they themselves, or the plaintiffs in the same suits, be not of the same houses, against the laws and statutes before this time bad and made, whereby divers of the King's liege people in his court holden before the said steward and marshal ofentimes against the law be grievously vexed and troubled to their great damage and hindrance.*

1 Bulfr. 209.

28 Ed. 1. stat.

3. c. 3.

13 R. 2. stat. 1.

c. 2.

(3) Our said lord the King, In a suit commenced before the marshal of the King's house, the defendant shall not be estopped to plead that the plaintiff or he are not of the King's house. considering the premisses, hath ordained by authority of the same parliament, That in every surety from henceforth for the said defendants to be taken, they shall not be estopped by such record, to say that themselves, or the plaintiffs in the same record specified, were not at the time of the said plea or suit thereof commenced, of the King's house, as by the same record is supposed; (4) but the defendants shall have their averment to say, That they themselves, or the said plaintiffs, were not of the same house

P

house at the time of such plea or suit commenced, the said record or other matter within the same contained notwithstanding.

tifs ne farent de mesme lostell a temps de tiel plee ou suit commence le dit recorde ou ascun matier deinz icell continuz nient obstant.

CAP. II.

Corn being of small price, viz. wheat at six shillings and eight-pence, and barley at three shillings the quarter, may be carried forth of the realm without licence.

Ex edit Rast.
Corn.
20 H. 6. c. 6.
altered by
1 Jac. 1. c. 25.
& 21 Jac. 1.
c. 28.

ITEM, forasmuch as by the law it was ordained, that no man might carry nor bring corn out of the realm of *England* without the King's licence, for cause whereof farmours and other men which use manurement of their land, may not sell their corn but of a bare price, to the great damage of all the realm: Our said sovereign lord the King, willing in this case to provide remedy, hath ordained by authority aforesaid, That it shall be lawful to every person to carry and bring corn out of *England*, and the same to sell to whatsoever person that he will, except all only to the King's enemies, as often and as long as a quarter of wheat or barley is so shipped: And that without suing any licence for the same. All other statutes before this time thereof made to the contrary notwithstanding. Provided always, That the King be contented of his customs and money. And this ordinance shall endure till the next parliament.

CAP. III.

What things be requisite to make a safe conduct effectual.

ITEM, *Whereas our said lord the King of late hath granted his letters of safe conduct to certain persons to come and go in and out of the realms and seigniories of England, France, and Ireland, with certain number of ships charged with their merchandises, and that faith and credit should as well be given to the copy called Vidimus, sealed under the seals authentick and approved, as to the original of the said letters; (2) one John de Gautier, one of the persons aforesaid, granted and delivered the Vidimus of the said safe conduct to such and to as many as him pleased, sealed with the seal of him that calleth himself King of France, under the colour of which Vidimus a great navy of the adverse part was assembled, and did take many ships, and the*
King's

ITEM par la ou nostre dit seigneur le Roi nadgairs avoit graunte ses lettres de sauf conduyt as certains persons pur venir & aler en & hors de les roialmes & seignuries d'Engleterre Fraunce & Irlande ovesqe certeine nombre des niefs charges ovesqe lour marchandises & qe foie & credance serroit done sibien a la copie appelez Vidimus ensealez sous seales autentiques & approuvez come al originall de lez ditz lettres un John le Gautier un de les persons desuissditz graunta & delivra le Vidimus du dit sauf conduyt as tielx & as tauntz come luy pluyt enseales soubz le seale celuy qi soy appelle Roy de Fraunce soubz umbre de quel Vidimus un graunde navie de la partie adverse

versarie fuist assemblee & prist plusieurs nefs & lieges du Roy & vitaille lez villes & fortresses de les parties adversaries a grande damage du Roy & de ses lieges suisditz si come nostre dit seigneur le Roy a la grevoule complaint a luy en fait par les ditz communes lad pleinment entenduz mesme nostre seigneur considerant lez grandes inconvenientz queux purroient eschier par tielx & autres qi malement usent sez lettres de sauf conduyt & qe soubz umbre de tielx Vidimus tout un entier navie des adversaries poet estre umbrez & journement vitailer estoiffer & resfreshier leur partie en grande damage de ses roialmes & specialment de le roialme d'Engleterre voet doner en commandement a les gardeins de les grande & prive sealx qils ne souffrent pas tiel clause de Vidimus estre mys en null sauf conduyt a grauntiers de cy enavaunt fil ne issint soit qe ascun grande ou notable cause ou matier mpeve mesme nostre seigneur le Roy pur ceo tielment graunter. Et voet auxi par auctorite suisdite qe en souts sauf conduyts de cy enavaunt a graunterz a ascun person ou persons les nouns de iceux de les nefs & de les maistres & le nombre de maritiers oveqse le portage des nefs soient expressez.

King's liege people and victual, to the towns and fortresses of the adversaries, to the great damage of the King and of the liege people aforesaid, as our said lord the King, at the grievous complaint to him made by the said commons in the said parliament, hath perceived: (3) The same our lord the King, considering the great inconveniencies which might ensue by such and other which do evil use his letters of safe conduct, and that under colour of such Vidimus a whole navy of enemies may be coloured, and daily victual, stuff, and refresh their party, in great damage of his realm of England, doth will, and hath commanded by the authority aforesaid, to the keepers of his great and privy seal, that they shall not suffer such clause of Vidimus to be put in any safe conduct from henceforth to be granted, unless it so be, that some great or some notable cause or matter move the same our lord the King to grant the same in such wise; (4) and willeth also, that in all safe conducts to be granted from henceforth to any person or persons, the name of them, of the ships, and of the masters, and the number of the mariners, with the portage of the ships, shall be expressed.

The clause Vidimus shall not be put in a safe conduct, unless upon some special cause.

What things are requisite to be inserted in a safe conduct to make it effectual.

18 H. 6. c. 8.
20 H. 6. c. 8.
14 Ed. 4. c. 4.

C A P. IV.

None shall sue a Subpoena until he find surety to satisfy the defendant his damages, if he do not verify his bill.

ITEM pur ceo que diverses personnes ont avant cez beurez este grandement vexez et grevez par briefes de sub pena purchaces par matiers determinablez par la common ley de cest terre, a grand damage de tielx personex issint vexez,

ITEM, for that divers persons have before this time been greatly vexed and grieved by writs of Subpoena, purchased for matters determinable by the common law of this land, to the great damage of such persons so vexed, in sub-

Mr. Cay observes that this chapter is not upon the roll.

Bro. conscience. 24.

No person shall sue forth a Subpœna until he find surety to satisfy the defendant his damages and costs, if he do not verify his bill.
17 R. 2. c. 6.

version and impediment of the common law. aforesaid; (2) our lord the King doth command; That the statutes thereof made shall be duly observed according to the form and effect of the same, (3) and that no writ of Subpœna be granted from henceforth until surety be found to satisfy the party so grieved and vexed, for his damages and expences, if so be that the matter cannot be made good, which is contained in the bill.

es, en subversion et impediment de la comen ley suisdite; nostre seigneur le Roy voet que les estatutz ent faitz soient duement gardes seloncque la fourme et effect dicelles; et que null brieve de sub pena soit graunte de cy enavant, tanque seurtee soit trouve, pur satisfaire la partie ensy greve et vexe pur ses damages et expences, si issint soit que le matier ne poet pas estre fait bon quele est contenu en la bille.

C A P. V.

What sort of persons may be impanelled upon an attaint.

ITEM our lord the King considering that the trial of life and death, of lands and tenements, goods and chattels of every person of his liege people of this realm, touching matters in deed, by the law of the same realm remain and stand, and daily is very likely to be had and made, by the oaths of inquests of twelve men duly summoned in his courts; (2) and also that the great fearles and shameles perjury, which horribly continueth, and daily increaseth in the common jurors of the said realm, is most likely to tend to the greatest mischief which may fall to the said realm; (3) and that it is to be supposed, by reason that the more sufficient that men be of lands and tenements, the more unlikely they are to be drawn or moved to perjury by brocage, power, or corruption; (4) and that in every action and writ of attaint at the least there must be thirteen defendants, unless that the death of any cause the contrary; (5) of which thirteen defendants every person by the law may have a several plea and answer, triable in whatsoever county that him pleaseth of the said realm, (6) and every of the same thirteen pleas and answers triable out of the county in which the action

ITEM nostre dit seigneur le Roy considerant que le trial de vie & de mort terres & tenementz biens & chateux de chescun person de ses lieges diceste roialme touchant matiers en fait par la leie de mesme le roialme remaigne & estaa & de jour en jour verisemblablement est pur estre eue & fait par les serementz des enquestes de xij. hommes duement summones en sez courtes et auxi que les grandes pourlesse & inhonuressse perjurie que orriblement continue & journement encressse en les communes jurrors du dit roialme a la pluis grande verisemblable meschief que puis cheier al-dit roialme et qil est a supposer par reson que le pluis sufficientz que hommes soient des terres & tenementz le pluis nonsemblablement ils sount a estre tretez ou moevez a perjure par brocage poure ou corruption & que en chescun action & brief dateint au meyns y faut estre xiiij. defendantz sil ne soit que mort dascun de eux cause le contrarie des queux xiiij. defendantz chescun person par la leie poet avoir severall plee & response triable en queecounque countee qeluy pleast del roialme avant

avauntdit & chescun de icelles xiiij. plees & responses triables hors del countee en quel lacion. & brief dateint est pursue causera la delaie de la prise de graunde jure dateint jesques au temps qe chescun des ditz foreins severalx responses soit trie. Et tout soit qe toutz iceux xiiij. foreins severalx responses & plees chescun apres auter pur causer plusours delaies soient plees tries & trovez countre iceux xiiij. defendantz ils nount ascun prejudice par icels ne les pleintifs en les ditz actions & briefs dateintz null autre avantage mes qe le court du Roy adonques de proceder a la prise du dit graunde jurie la quell par subtiltee qe de jour en jour encrelce purroit causer la delaie des pleintifs en les ditz actions & briefs dateint par x. ans ou pluis par commune estimation ad ordeine par lauctorite avaunt dite pur partie de remedie de la mescheef suisdit qe null viscount baillif du franchise ne coroner en actions ou briefs dateint du plee du terre dannuell value de xl. s. ou pluis ne daction de detenue des faitz concernants terres & tenements de semblable value ou pluis ne de plee personell dount le jugement de recoverer extende a la somme de xl. li. ou pluis retourne ne empanell en null inquisition ne enquest nulles personnes mes ceux enhabitantz dedeins sa baille queux a cell temps eient estate a lour propre opes ou ceux as queux peps autres persons ont estate de fee simplee fee taill ou frank tenement en terres & tenements dannuell value de xx. li. ou pluis dedeins sa baille hors del auncein demesne les cynk portes & tenure de gavelkynde ne meindres

action and writ of attaint is sued, doth cause the delay of the taking of the grand jury of attaint, until the time that every of the said foreign several answers be tried.

(7) And although that all these thirteen several answers and pleas, every one after other, to cause more delays, be pleaded, tried, and found against these thirteen defendants, they themselves have no prejudice by the same, nor the plaintiffs in the said actions and writs of attaint no other advantage, but that the King's court then shall proceed to the taking of the said grand jury, which by subtilty that daily increaseth may cause the delay of the plaintiffs in the said actions and writs of attaint by ten years or more, by common estimation;

(8) hath ordained by authority aforesaid, for part of the remedy of the said mischief, that no sheriff, bailiff of franchise, nor coroner, in actions or writs of attaint of plea of land, of the yearly value of xl. s. or more, nor action of attaint of deeds concerning lands or tenements of like value, or more, nor personal, whereof the judgment of the recovery shall extend to the sum of forty pounds, or more, shall return nor impanel in any inquisition nor inquest, any persons but such as be inhabiting within his bailiwick, which have estate to their own use, or they to whose use other persons have estate, of fee-simple, fee-tail, or freehold, in lands and tenements, of the yearly value of xx. li. or more in his bailiwick, out of antient demesne, the five ports, and the tenure of gavelkind,

(9) nor shall return in the King's court less issues in the said actions of attaint, than xl. s.

What sort of persons and of what sufficiency in estate may be impanelled in juries upon an attaint.

18 H. 6. c. 2.

What issues shall be returned upon every juror in an attaint.

xl. s. at the first writ of distress, and C. s. at the second writ of distress, and the double of every other writ of distress against the persons impanelled and returned to be sworn in the same actions. (10) And that no person of less sufficiency of freehold than of the yearly value of xx. li. in the form aforesaid, shall be sworn in the King's court upon any issue in the said actions of attainr, if he be for the same by the plaintiffs in due form challenged. (11) And that also as often as any sheriff, bailiff of franchise, or coroner, do contrary to this ordinance, he shall pay, and by this statute be bound to pay to the King x. li. and to the plaintiffs in the said actions and writs of attainr for their delay other x. li. (12) And if any of the foreign answers and pleas be tried and found against any of the said defendants, that then the same judgment against the same defendants, and for the said plaintiffs, shall be given by the King's justices, and consideration of his courts, as by the law should be given against the same defendants, in case that the grand jury in the said actions and writs of attainr, upon the points and articles of the same writs, had passed against the same defendants, and with the said plaintiffs. (13) And that by the same judgments, no other of the said defendants, but they against whom the aforesaid foreign answers and pleas be found and tried, shall be prejudiced or endamaged; (14) and that this statute touching the office of sheriff, bailiff of franchise, and coroner, in returning of the said persons of the sufficiency of

meindres issues en les ditz actions datteint retourne en la court du Roy qe xl. s. a le premier brief de destresse & cent soulz a le secunde brief de distress & le double a chescun autre brief de destresse envers les persones empanelles & retournes pur estre jurrez en mesmes les actions. Et qe null persone de meindre suffisance du frank tenement qe dest annuell value de xx. li' en la fourme dessuifdit soit jurrie en la court du Roi sur null issue en les ditz actions datteint sil soit pur icell par les pleintifs en due fourme chalanges. Et qe auxi sovent que ascun vicount bailiff du fraunchise ou coroner face le contrarie de ceste ordinance qil paie & par cest estatut soit tenuz a paier au Roy x. li. & a les pleintifs en les ditz actions & briefs datteint pur leur delaies autres x. li. Et qe si ascun des ditz foreins responses & plees soit triee & trove encountre ascun des ditz defendants qadonques mesmes les juggementz contre mesmes les defendantz & pur les ditz pleintifs soient dones par les justices du Roy & consideration de ses courts si come par la leie serroit donee envers les mesmes defendants en cas qe le grande jurie en les ditz actions & briefs datteint sur les pointe & articles de mesme les briefs passez encountre mesme les defendants & oveqe les ditz pleintifs. Et qe par mesmes les juggementz null autre des ditz defendantz sinon ceux vers queux les avaunt ditz foreins responses & plees sount troves & triez soit blesez no endamages. Et qe si estatut touchant l'office de viscount bailiff de fraunchise & coroner

A foreign plea pleaded by any of the defendants found for the plaintiff.

Keilw. 55.

This statute doth no extend to cities or boroughs.

en retournant des perſones de la ſufficiauntee du frank tenement dannuell value de xx. li. et qe null perſone de meindre ſufficiante du frank tenement ſoit jurie en les ditz actions & briefs datteint ne extende pas es citees & burghs de le dit roialme ne a les enhabitantz en icelles.

Purveu toutz ſoltz qe ſi en aſcun de les ditz countees ne ſoient perſones enhabitantz de ſubz le ſtate de baron del poſſeſſion dez terres & tenementz dannuell value de xx. li. en meſme le counte en la fourme avantdit a ſuffire le noumbre pur eſtre empanelles & retournes en les ditz actions & briefs datteint qadonques le viſcount bailifs de franchiſez & coronours de meſme le counte empanell & retourne en meſmes les actions & briefs perſones illeokes enhabitantz de la plus ſufficiante du poſſeſſion dannuell value de terre & tenementz deinz la value de xx. li. par an en meſme le counte en la fourme avauntdit & qe a ceux perſones nextende pas la vaunt dite chalenges qils ne ſoient del ſufficiante des terres & tenementz dannuell value de xx. li. en meſme le counte & ceo auxi ſoient qe aſcun de meſmes les viſcountz bailifs ou coroners face le contrarie de ceſt darrein article qil paie au Roy x. li. & au ditz pleintifs x. li. en la fourme avantdite.

of freehold of the yearly value of xx. li. and that no perſon of leſs ſufficiency of freehold be ſworn in the ſaid actions and writs of attaint, ſhall not extend to cities and boroughs within the ſaid realm, nor to the inhabitants in the ſame.

II. Provided always, That A remedy if if in any of the ſaid counties there be not ſufficient men there be not perſons inhabiting (under the eſtate of a baron) in the ſame county, who of poſſeſſion of lands and tenements of the yearly value of the yearly value of xx. li. in the ſame county, in the form aforeſaid, to ſuffice the number to be impanelled and returned in the ſaid actions and writs of attaint, that then the ſheriff, and bailiffs of franchiſes, and coroners of the ſame county, ſhall impanel and return in the ſame actions and writs, perſons there inhabiting, of the moſt ſufficient of poſſeſſion of yearly value of lands and tenements within the value of xx. li. in the ſame county in the form aforeſaid; (2) and that to ſuch perſons the ſaid challenge extend not, that he is not of poſſeſſion of lands and tenements of the yearly value of xx. li. in the ſame county; (3) and that as often as any of the ſame ſheriffs, bailiffs, or coroners do contrary to this preſent article, he ſhall pay to the King x. li. and to the plaintiffs x. li. in the form aforeſaid, 23 H. 2. c. 2.

CAP. VI.

A reſtraint of unlawful orders made by maſters of guilds, fraternities, and other companies.

ITEM, Whereas the maſters wardens and people of the guilds, fraternities and other companies incorporate, dwelling in divers parts of the realm, aſtentimes by colour of rule and governance and other terms in general words to them granted and confirmed by charters

Ex edit. Reſ.
Guild.
Fraternity.
and Company.

and letters patents of the King's progenitors, make themselves many unlawful and unreasonable ordinances as well of many such things, whereof the consance, punishment and correction all only pertaineth to the King, lords of franchises, and other persons, and whereby our sovereign lord the King and other be disherited of their profits and franchises, as of things, which oftentimes in confederacy is made for their singular profit, and common damage to the people: the same our sovereign lord the King, by the advice and assent of the lords spiritual and temporal, and at the prayer of the commons aforesaid, hath ordained by authority of the same parliament, that the masters, wardens, and people of every such guild, fraternity, or company incorporate, betwixt this and the feast of Saint Michael next coming, shall bring and do all their letters patents and charters to be registered of record before the justices of peace in the counties, or before the chief governors of the said cities, boroughs, and towns, where such guilds, fraternities and companies be. And moreover hath ordained and defended, by the authority aforesaid, that from henceforth no such masters, wardens, nor people make nor use no ordinance which shall be to the disherison or diminution of the King's franchises, or of other, nor against the common profit of the people nor none other ordinance of charge, if it be not first discussed and approved for good and reasonable, admitted by the justices of peace, or the chief governors aforesaid, and before them entered of record, and after by them revoked and repealed, if it be found by them not lawful or not reasonable, and that upon pain to lose and forfeit the force and the effect of all the articles comprised in their said writs and charters, by which they might do the same ordinances to be entered and moreover to lose and pay x. li. to the King for every ordinance that any of them doth make or use to the contrary, as often as he shall be of that by due process, and lawful manner convict of record before any of the said justices of peace, or chief governors of cities, towns, and boroughs. And this ordinance shall endure as long as it shall please our said

39 H. 7. c. 7. sovereign lord the King.

C A P. VII.

All persons religious and secular may make their general attornies to sue or plead for them in every hundred and wapentake.

ITEM, *our said sovereign lord the King, by the assent of the lords spiritual and temporal, and commons aforesaid, hath ordained and stablished by authority aforesaid: That from henceforth all the abbots, priors, and other religious persons, and their successors, and every of them, which have lands and tenements or other possessions within any of the wapentakes of Staincliffe wapentake or Friendlesse wapentake in Craven in the county of York, may make their attornies general in all the courts within the said wapentakes and every of them, that is to say, every of the abbots, priors, and religious persons severally under the common seal of*

his

his house, to win and lose in every manner of plea, for any or against any of them in the said courts, or any of them moved or to be moved. And that the said abbots and priors and religious persons, and their said attornies and every of them, may plead in the said courts and every of them, all manner of pleas, which be pleadable in law and in the law allowable, and that every steward and bailiff of or in every of the said courts for the time being, shall as well receive any attorney in the manner aforesaid to be made, as the said pleas by the said abbots, priors, or religious persons, and by their said attornies, and by every of them to be pleaded, without amercing the said abbots, priors, or religious persons or any of them in the manner aforesaid, or otherwise than secular persons in like case without fraud should be amerced. And that every of the stewards and bailiffs aforesaid, at every time that he doth contrary to this ordinance, shall forfeit and pay to the king x. li. and that every person which will sue for the King in this case, shall have a writ of debt founded upon this statute, and shall have the half for his labour, and the King the other half. And that in the same manner all other abbots, priors, and other religious persons and their successors, and any other secular persons within this realm, in every hundred and wapentake within the same realm, may make their attornies general, to plead for them and every of them in the form aforesaid, that is to say, the said abbots, priors, and religious persons under the common seal, and the secular persons under their seals. And if the stewards, bailiffs, or any minister of any such hundred or wapentake do contrary to the same, every of them shall forfeit to the King x. li. as afore is said, and this statute and stablishment shall endure as long as it shall please the King.

20 H. 3. c. 10.
13 Ed. 1. Stat. 1.
c. 10.
7 R. 2. c. 14.

CAP. VIII.

No merchant shall ship any merchandises of the staple, but at wharfs assigned, &c.

ITEM, our sovereign lord the King, to remove and eschew the great unlawfulness and damage, which daily is to him done, in withholding the customs and subsidies, and impediment to the staple of Calais of the sale of wools and woofsels, by such which do ship their wools and woofsels in divers secret parts and creeks, and other suspect places within this realm, stealing, bringing and carrying the same not customed to divers parts beyond the sea, and not to Calais; hath ordained by the authority aforesaid, that from henceforth no manner of person shall ship nor do to be shipped wools, woofsels, nor other merchandises pertaining to the staple, in no place within this realm, but all only at the keys and wharfs being in the ports assigned by the statute, where the King's weights and his wools be let. (2) And that every master of ships and vessels, in which such wools and woofsels and merchandises be put, shall find sufficient surety to the customers of the ports, where they do ship, to carry the said wools and woofsels to the staple of Calais, and to bring a certification from thence, that he hath so

No person shall ship any merchandise of the staple, but at the keys assigned where the King's weights are.

18 H. 6. c. 17.
14 H. 6. c. 5.
done. 4 Ed. 4. c. 2.

done. (3) *Saving always to the merchants of Genoa, Venice, Tuscany, Lombardy, Florence, and Catalonia, and to the burgeses of Berwick, the liberties to them granted by statute heretofore.*

Statutes made at *Westminster*, Anno 18 HEN. VI.
and *Anno Dom.* 1439.

OUR lord King Henry the sixth after the conquest, at his parliament holden at Westminster the morrow after St. Martin, in winter, the twelfth day of November, the eighteenth year of his reign, to the honour of God, and for the weal of him and of his realm, by the advice and assent of the lords spiritual and temporal, and the commons in the same parliament assembled; hath made, ordained, and stablished divers statutes and ordinances in the form following.

NOSTRE seigneur le Roi Henry le filme après le conquest a son parlement tenuz a Westm' le lendemayn de Seint Martiin en iver le xijme jour de Novembre lan de son reigne xvijste al onour de Dieu & pur le bien de luy & son roialme de ladvys & assent des seignurs espirituelx & temporelx & les communes en mesme le parlement assembleez ad fait ordeigner & establier diverses estatuitz & ordinances en la fourme qensuit.

CAP. I.

Letters patents shall bear the date of the King's warrant delivered into the chancery.

27 H. 8. c. 11.

FIRST, whereas by suit made to the King by divers persons it hath been desired by their petitions, to have offices, farms, and other things of the gift and grant of the King, by his gracious letters patents thereof to them to be made, desiring by the same petitions, the same letters patents of the King to bear date at a certain day limited in the same, the which day is often long before the King's grant to them thereupon made have borne the same date, by reason whereof divers of the King's liege people having such offices, farms, and other things of the gift or grant of the King, by his gracious letters patents thereof to them long time before duly made, by such subtil imagination of such antecedates desired by such petitions, of such offices, farms, and other things,

PRimerement come par suite fait au Roy par divers gentz ad esto desire par leur petitions daver offices fermes & autres choses del don & graunte du Roy par sez gracious lettres patentz ent a eux a faire desirauntz par icell petitions mesmes les lettres patentz du Roy de porter date a certain jour limite en icell le quell jour est souvent longement devaunt le graunte du Roy a eux faitz de leur ditz petitions parount les lettres patentz du Roy a eux sur ceo faitz ount porte mesme la date a cause de quell divers lieges du Roy ciantz tielx offices fermes & autres choses du don ou graunte du Roy par sez gracious lettres patentz a eux longne temps devaunt dument fait par tielz subtils ymaginations

ginations de tiels antedates de-
lirez par tiels petitions de tiels
offices fermes & autres chofez
sovent ount este oustes, amoves
& expelles encountre droit bon
conscience & reason. Nostre
dit seigneur le Roy voillant ou-
stier tiels ymaginations del avys
& assent des seignurs espirituel-
x & temporelx & al especiale
request des ditz communes ad
ordine par auctorite de mesme
le parlement qe de qeconque
garrant en apres par mesme
nostre seigneur le Roy ou sez
heires al chaunceller d'Engle-
terre pur les temps esteant ad-
dresse le jour du livre dicell
al chaunceller soit entre du re-
corde en la chauncerie et qe
le chaunceller face faire lettres
patentes sur mesmes les gar-
rantz portantz date le jour du
dit livre en la chauncerie &
nemy devaunt en null manere
et si aucuns lettres patentes
soient desore faitz al contrarie
soient voidez irritez & tenuz
pur nulles.

*things, often have been put out,
amoved, and expelled, against
right, good conscience, and reason:*

(2) Our said lord the King,
willing to put out such imagi-
nations, by the advice and
assent of the lords spiritual and
temporal aforesaid, and at the
special request of the said com-
mons hath ordained, by au-
thority of the same parliament,

That of every warrant here-
after sent by the same our lord
the King, or his heirs, to the
chancellor of England for the
time being, the day of the de-
livery of the same to the chan-
cellor shall be entered of record
in the chancery; (3) and that
the chancellor do cause letters
patents to be made upon the
same warrant, bearing date the
day of the said delivery in the
chancery, and not before in
any wise; (4) and if any let-
ters patents be from henceforth
made to the contrary, they
shall be void, frustrate, and
holden for none.

The King's
letters patents
shall bear date
the day of the
King's war-
rant into the
chancery de-
livered.

Plowd. 492.
Dyer, 133.

CAP. II.

*They which have gavelkind lands to the yearly value of
twenty pounds, may be returned in attaints.*

ITEM come al parlement
nostre seigneur le Roy tenuz
a Westm' lan de son reigne
xvme entre autres articles soit
ordeigne qe null viscount baille
de fraunchis ne coroner en ac-
tion ou briefes datteyntes de plee
de terre de annuell value de
xl. s. ou pluis nen action de
atteynt des faitz concernantz
terres & tenementz de annuel
value de xl. s. ou pluis ne per-
sonell action douat le jugement
de recovere extend al somme de
xl. li. ou pluis rerourne ne
empanelle en null inquisition
ne enqueste nulles persones mes
ceux enhabitauntz deinz sa
baille qi ount estaté a lour
peps

ITEM, where in the parlia-^{15 H. 6. c. 5.}
ment of our lord the King, hol-
den at Westminster the fiftenth
year of his reign, among othar
articles it was ordained, That
no sheriff, bailiff of franchise,
nor coroner, in action or writs
of attaint of plea of land of the
yearly value of xl. s. or more,
nor in action of attaint of deeds
concerning lands and tenements
of the yearly value of xl. s. and more,
nor in personal action, where-
of the judgment of the recovery
extends to xl. li. or more, should
return or impanel in any inqui-
sition or inquest, any persons but
them that be inhabiting within
his bailiwick, which have estate

to their use, or they to whom other persons have estate of fee-simple, fee-tail, or free-hold, in lands and tenements of the yearly value of xx. li. or more, within his bailiwick, out of antient demean, five parts, and the tenure of gavelkind; (2) in respect of which ordinance, seeing within the county of Kent there be but thirty or forty persons at the most, which have any lands or tenements out of the tenure of gavelkind, because the greater part of the said county, or well nigh all, is of the tenure of gavelkind, which persons be continually impanelled and returned in the said actions, to the great bindrance and impoverishment of the same persons; (3) our said lord the King considering the premisses, hath granted, ordained, and stablished, by authority aforesaid, That those men which have estate to their use, and also they to whose use other men have estate, of fee-simple, fee-tail, or free-hold, in lands and tenements of the yearly value of xx. li. of the tenure of gavelkind, shall be returned and impanelled in all such attaints as be above recited, which attaints be not now depending, but may depend in time to come, in the same manner and form as any other person may be returned and impanelled by force of the said statute made the said fifteenth year.

23 H. 3. c. 3.

They which have gavelkind lands to the yearly value of xx. li. may be impanelled upon attaints notwithstanding the statute of the 15 H. 6. c. 5.

oepe ou ceux as. queux autres perſones ont eſtate de fee ſimple fee taille ou franc tenement en terres & tenementz de annuell value de xx. li.' par an ou pluſ deins ſa baille hors de auncien demefne cynk portz & la tenure de gavylkynde par cauſe de quel ordenaunce a cauſe qe deins le counte de Kent ſount qe trent ou quarant perſones a pluſ qe ont aſcuns terres ou tenementz hors de tenure de gavylkynde pur ceo qe la grendre partie du dit counte ou bien pres tout eſt de tenure de gavylkynde les queux perſones ſount continuellement empanellez & retournez en les ditz actions datteintes a grande anientifment & empoveriſment des meſmes les perſones noſtre dit ſeignur le Roy conſiderant les premiſſes ad graunte ordine & eſtablie par lauctorite deſuiſdit qe iceux hommes qi ont eſtat a lour oepe & auxint iceux as queux oepe autres hommes ont eſtat de fee ſimple fee taille ou franc tenement es terres & tenementz dannuell value de xx. li.' de la tenure de gavylkynde ſoient retournez & empanellez en autiels atteintes come ſount deſoubtz reciteez les queux atteintes ne ſount pas ore pendantz mes purront pendre en temps avenir meſmes en les manere & fourme come aſoun autre perſone poet eſtre retournez & empanellez par force du dit eſtatuit fait le dit an quindſiſme,

CAP. III.

Butter and cheefe may be transported without licence.

Ex edit.
Pulton.

21 R. 2. c. 17.
3 H. 6. c. 4.
24 H. 6. c. 2.

ITEM, Whereas in the statute made the xxj. year of King Richard the Second, at the grievous complaint of his commons, shewing how the staple was limited to rest at Calais, (2) and that all manner of wools, woollens, leather, lead, tin, cheefe, butter and honey, going out of the realm of England, ought

ought to have recourse to the said place of *Calais*, and to no place elsewhere: (3) certain persons by their suggestions had before that time purchased licences to carry out wools, and other merchandises aforesaid, to what parts beyond the sea that pleased them, of the King's amity, to the which their licences do extend, without coming to the said places of *Calais*, to the great advantage of the persons so having licences, and great damage of them which have no licence: (4) wherefore the said King by authority of his parliament holden the year aforesaid, ordained and stablished, That the said statute should be holden and observed as to the great merchandises aforesaid, that is to say, wools, woolfels, tin and lead only, without licence thereof to be granted but by the King himself. (5) In respect of which statute so made, the chancellor for the time being often hath denied to grant licences for cheese and butter to be carried to any other place, but only to the same *Calais*, to the great damage of the people of this realm: (6) Our said lord the King considering that cheese and butter is a merchandise which cannot be well kept, nor tarry his merchant, and will be greatly impaired by vermin and worms, and is also tender and of so simple price, that it cannot well bear the costs of the staple, hath ordained by the authority aforesaid, that the King's liege people may convey and carry out of his realm, whither it shall please them of the King's amity, cheese and butter without any licence to be pursued in any wise, paying for the same the customs and subsidies thereof due from time to time, any statute made to the contrary notwithstanding.

The King's people may carry butter and cheese to any place out of the realm, being in amity with the King, without licence.

3 H. 6. c. 4.
1 & 2 Ph. & M.
c. 5.

II. Provided that the King may restrain the same when it shall please him.

CAP. IV.

No merchant alien shall sell any merchandises in England to another merchant alien. Mayors, &c. of cities and towns to execute this act.

ITEM, whereas great damages and losses daily come to the King and to his people, by the buying and selling that the merchants aliens and strangers do make at their proper will and liberty, without any notice governance and surveying of any of the King's lawful liege people, as by such buying and selling, which they use together of all manner of merchandises every of them with other, and also by covins and compassings, that they do to impair and abate the price and value of all manner of merchandises of this noble realm, and do increase and inhanche the price of all their own merchandises, whereby the said merchants aliens be greatly enriched, and the Kings subjects merchants denizens of the same realm grievously impoverished, and great treasure by the same aliens brought out of this realm, the customs and subsidies by them due to the King for the causes aforesaid greatly diminished, and the navy of the said realm greatly destroyed and hindered. And

Ex edit. Rast.
Merchants
aliens.

whereas

whereas by divers statutes before this time made it was ordained, That in every city, town, and port of the sea of *England*, where the merchants aliens and strangers be or shall be repairing, sufficient hosts shall be assigned to the same merchants, by the mayor, sheriffs, or bailiffs of the said cities, towns, and ports of the sea, and that the merchants aliens and strangers shall not be dwelling in any other place but with the said hosts so assigned, which be not sufficient and convenient remedies enough against the damages and inconveniences aforesaid: Our said sovereign lord the King, willing against the same damages and inconveniences to provide a remedy in this behalf, hath ordained by authority aforesaid, That from henceforth no merchant alien or stranger, shall sell no manner of merchandise to other merchant alien or stranger, upon pain of forfeiture of the same merchandises. And that all merchants aliens and strangers from henceforth coming or abiding to merchandise within any city, town, borough, or port in *England*, shall be under the surveying of certain people called hosts or surveyors to them assigned by the mayors, sheriffs, or bailiffs of the same cities, towns, boroughs, or ports by the manner ensuing. And that every such merchant alien coming to any of the cities, towns, boroughs or ports, within three days after the said coming, shall offer him in person before the mayor, sheriff, or bailiff, of the same city, borough, town, or port, to which he cometh, to have an host to him assigned. And that the mayors, sheriffs or bailiffs, of every of the said towns, boroughs, and ports, within iiii. days next after that they have notice of the coming or being of any such merchants, shall assign to the same merchants aliens sufficient hosts which be good and credible persons, *Englishmen* born, expert in the feat of merchandise, and not exercising such merchandises, which the merchants aliens being under their surveying for the time do use. And that the same hosts shall survey and be privy to all the merchandises, which the said merchants shall discharge at any port or place of this realm, or shall bring or do to be brought out of the same, and to all sellings, buyings, and contracts of merchandises, which they do within the said parts and places. And that every such merchant, which bringeth or doth to be brought from henceforth any merchandises and them discharge within any port or place of the said realm, shall put them to sale by the surveying of the said hosts, and make full employment of all the same merchandises, (except all manner of cloths of gold, of silver, and of silk) within eight months next after the coming of the same merchandises to any port, safe, or place discharged of the said realm, deducting their reasonable costs and expences, that is to say, they shall sell the same merchandises for other merchandises of the said realm, or shall sell them for money, and with the same money they shall buy within the time aforesaid other merchandises growing and made within the same realm, upon pain to forfeit all the said money within the said term not employed.

ployed. And that it shall be lawful to the said merchants aliens and strangers, after the said eight months to carry out of the said realm all the said merchandises within the same term (as is said) and not sold, without any customs or subsidies thereof to be paid. And if the said merchants aliens after the said eight months sell any of the said merchandises within this realm, that then they shall be forfeit. And every of the said hosts shall do to be registered and written in a book from time to time all the said merchandises, which the merchants aliens shall have and receive, and all the buyings, sales, contracts, and employments that they do by their knowledge and surveying, and the transcript thereof shall bring or do to be brought before the treasurer and barons of the King's exchequer two times by the year, that is to say, at the beginning of the two terms of *Easter* and *Saint Michael*. And the same hosts their executors, heirs or landtenants by colour of such transcript or any other thing concerning the said occupation of host, shall not be bound to accompt within the said exchequer, nor otherwise charged. And the said host shall take for his labour in that case of every merchant stranger two pence for every twenty shillings in value of all manner of merchandises so by the said merchants aliens sold and bought. And every such host in his first admission to the said occupation, shall swear before the mayors, sheriffs, and bailiffs, by whom he shall be assigned to such occupation, well and lawfully to use and exercise the same occupation. And if he be found unlawful or defective to the contrary, then shall he be put out of the said occupation by the said mayors, sheriffs, and bailiffs, as often as to them shall seem needful, and other by them put in his place, and moreover to punish him after his deserving by discretion of the same mayors, sheriffs, and bailiffs. And if any merchant alien or stranger do not offer him to take such host, or after that an host be to him assigned, as afore is said, refuse to be under the survey and governance of such host, in the manner aforesaid, he shall be taken and arrested by the said mayors, sheriffs, or bailiffs, and put in prison, there to remain without being let to bail or mainprise, till he hath found sufficient surety, to be under the governance of such host, to make him privy to all the sales, buying and contracts of his merchandises, as aforesaid, and the same merchant alien in that case shall make fine and ransom at the King's pleasure. And if any such merchant alien make any buying, sale or contract of merchandise, without the said surveying of his host, or making the said host privy to all the said merchandises, sold, bought, or contracted, as afore is said, he shall forfeit the value of the same goods bought or sold, or the sum or value of that whereof the contract is made. And if any such mayor, sheriff, or bailiff let any such merchant willingly to be without host in the form aforesaid, and go at large without arresting him, and putting him in prison, and punishing in the form aforesaid, the same mayor, sheriff, or bailiff shall forfeit twenty pounds to the King for

for every merchant alien so willingly suffered to go at large not arrested, and for every such merchant alien and stranger, to whom such host in the form aforesaid is not assigned. And if any man which is by such mayor, sheriff, or bailiff assigned to be host to any such merchant alien and stranger, refuse to be such host, he shall pay every time to the King, that he so refuseth to be host ten pounds. And every merchant alien and stranger, which employ not the said money within the said eight months (as is said) or that he sell his said merchandises in England after the same eight months, and thereof before any of the King's judges be duly convict by his examination or otherwise at the King's suit, or at the suit of his liege people, which will sue for the King and for himself in these two cases aforesaid, then the said merchant alien and stranger, shall incur the pain and forfeiture aforesaid. And he that will sue, shall have the fourth part of the said forfeitures, and the King the three other parts. And that this act and ordinance shall begin to hold place at the feast of *Easter* next coming, and shall endure till the end of eight years next ensuing. And that betwixt this and the feast of *Easter*, certain commissioners under the King's great seal, rehearsing all the same act and ordinance, shall be made and severally directed to the mayors, sheriffs, or bailiffs, of every city, town, borough, and port of the said realm, where such merchants aliens and strangers be or shall be abiding or repairing, straightly charging the same mayors, sheriffs, and bailiffs, which be or which for the time shall be, to publish and put all the said act and ordinance in due execution. Provided always, That the merchants of the *Hanse* of *Almaine*, and all other merchants under the King's obedience, be not comprised within this act and ordinance: So that always by this provision and ordinance no prejudice be given or done to any alliance or truce made by the King or any of his noble progenitors before this time.

4 H. 4. c. 15.
5 H. 4. c. 9.
27 H. 6. c. 3.
17 Ed. 4. c. 1.
3 H. 7. c. 8.
23 & 24 Car. 2.
c. 26.

CAP. V.

None appointed to be a collector of a fifteen in a city, shall be also collector in the same county, except he bath lands, &c.

ITEM, *Whereas heretofore at the time of every Quinzime and Disme granted to the King or to his progenitors, the collectors of the same Dismes within the cities and boroughs of his realm, having citizens or burghesses of them coming to the parliament, have often been deputed and assigned of persons dwelling within the same cities and boroughs, which and other persons dwelling in the same have been often now of late made collectors*

ITEM *come devaunt cēz heures al temps de chescun xvme & xme a Roy ou a sez progeniteurs grauntez collectours de mesme le xme deins les citees & burghs de son roialme ciantz citezeins ou burgeys de eux veignautz al parlement ount sovent este deputez & assignes des gentz demurrantz deins mesmes les citees & burghs les queux & autres gentz demurrantz en ycell ount ore tarde sovent foits*

foitz estez faitz collectours de les xvme & xme a Roy grauntes sibien en les countes deins quell mesmes les citees & burghs sount come deins mesmes les citees & burghs a lour graunde perde & dammage & lemblable destre en apres si remedie ent ne soit purveux mesme nostre seignur le Roy voillant encountre tielx perde & dammage purvoir de remedie. en cest partie ordeigne par lauctorite desuiddit qe null homme demurant deins ascun cite ou burgh deins le dit roialme de la quell cite ou burgh il ad este use devaunt cez heures & unquore est les nouns de certains homes par les perones pur la dit citee ou burgh veignautz al parlement destre deliverez en la chauncerie du Roy destre collectours du xme en mesme le citee ou burgh & sur qe le Roy ad mys sez lettres patentz a mesmes les perones issint nomes & deliverez en la dit chauncerie destre collectours de la xme ou parcell dicell deins la dit citee ou burgh et les queux collectours ount accomptes & sount tenuz dacomptier de lour receit en cest partie immediat en leschequer du Roy soit en ascun manere depute ne assigne destre collectour dascun xvme ou ascun parcell dicell au Roy ou sez heires grauntes ou a grauntiers deins ascun countee dicest roialme sinon qil poet expendre en le countee hors du dit citee ou burgh es terres ou tenementz a la value de Cs. par an outre les charges & reprisesz.

of the same Quinzimes and Dismes granted to the King, as well in the counties within which the same cities and boroughs be, as within the same cities and boroughs to their great loss and damage, and likely more to be hereafter, if remedy be not provided; (2) the same our lord the King, willing against such loss and damage to provide a remedy in this behalf, hath ordained by the authority aforesaid, That no man dwelling within any city or borough of the said realm, of which city or borough it hath been used before this time, and yet is, the names of certain men by the persons for the said city or borough coming to the parliament to be delivered in the King's chancery, to the collectors of Dismes in the same city or borough, and whereupon the King hath sent his letters patents to the same persons so named and delivered in his chancery, to be collectors of the Dismes, or parcel of the same, within the said city or borough, and the which collectors have used and been bound to account of their receipt in this behalf immediately in the King's exchequer, shall in any wise be deputed nor assigned to be collector of any Quinzime, or any parcel of the same, granted or to be granted to the King or his heirs within any county of this realm, except that he may depend in the county out of the said city or borough, in lands or tenements, to the value of an hundred shillings by year, over the charges and reprises.

No man dwelling in any city or borough, appointed to be collector for the fifteen there, shall be so in the same county.

CAP. VI.

No lands shall be granted by letters patents, until the King's title be found by inquisition.

2 H. 6. c. 16.

ITEM, whereas in a parliament holden at Westminster, the morrow after St. Matthew the Apostle: the eighth year of the reign of our lord the King that now is, among other things it was ordained, That no lands or tenements seized into the King's hands upon inquests taken before the escheators or commissioners, shall not be granted nor let in any wise to ferm by the chancellor or treasurer of England, or any other the King's officer, until the same inquests and verdicts be fully returned into the chancery, or into the exchequer, (2) but all such lands and tenements shall wholly and continually remain in the King's hands, until the said inquests and verdicts be returned, and by a month after the same return; if it be not so that he or they which feel themselves grieved by the same inquests, or put out of their lands or tenements, come into the chancery, and offer themselves to traverse the said inquests, and offer themselves to take the same lands or tenements to ferm; (3) and if they so do, that then the same lands and tenements shall be committed to them, if they shew good evidences proving their traverse to be true, according to the form of the statute made the six and thirtieth year of King Edward the Third, to hold until the issue taken upon the same traverse be found and distuffed for the King, or for the party, finding sufficient surety to pursue the said traverse with effect, and to yield and to pay to the King the yearly value of the lands or tenements, whereof the traverse shall be so taken,

2 Leon. 184.
185.
Goldsb. 21.
pl. 1.
Savil 70.

ITEM come en le parlement tenuz a Westm' lendemayn de Seint Mathe l'apostel lan du reigne nostre seigneur le Roy qoreft vijme ordime soit entre autres qe nullez terres ne tenementz seiseiez en mayns le Roy sur enquestes prises de vaunt les eschetours ne commissioners ne soient ascunement leseez ne grauntez a ferme per chaunceller ou tresorer d'Engleterre ou autre officer le Roy qeconque tanqe mesmes les enquestes & verditz soient retournez plainement en la chauncerie ou en l'eschequer mes demurgent toutz tielx terres & tenementz entirement & continuelment en lez mayns le Roy tanqe les ditz enquestes & verditz soient retournees & par un moys apres mesme le retourne si issint ne soit qe ceuz ou celuy qi sent ou sentent euz grevez par mesmes les enquestes ou oustes de lour terres ou tenementz veignent en la chauncery & soy preferont de traverser les ditz enquestes & soy offeront de prendre mesmes les terres & tenementz a ferme soient commys a eux ils monstrent bons evidences provaunt lour traverse estre verroiez solonc la fourme de lestatut fait lan xxxvme le Roy E. tierce a tenir tanqe lissue sur mesme la traverse pris soit trouve & discussé pur le Roy ou pur le partie trovant suffisant surete de suer le dit traverse ove effecte & de rendre paier au Roy le annuel value de terres ou tenementz dount la traverse ensy sera pris ils soit discussé pur

le Roy & si aucuns lettres patentes des aucuns terres ou tenementz soient faitz a contrarie a aucun autre persone ou lesse a ferme deinz le dit moys de retourne soient voides & tenez pur null. Le quel bon estatut & ordonnance divers personnes ymaginantz a subvertir par leur subtilite de servir come de null poursuont daver tielx dones grauntes & fermes par lettres patentes du Roy devaunt aucun inquisition on titre trouve par le Roy dicelx pretendauntz tielx dones & grauntes nient estre comprise ne remedies par le dit estatut nient obstant qil est en owel meschief de le dit estatut. Nostre seigneur le Roi considerant les premiffes & veillant en ceo partie purvoier de remedie ad ordeigne par lauctorite desuisdit qe nullez lettres patentes soient faitz a aucun persone ou personnes d'aucunes terres ou tenementz devaunt inquis' de titre du Roy en yeux trouve en sa chancellerie ou en son eschequyr retourne si titre du Roy en yeux ne soit trouve de recorde ne deinz le moys apres mesme le retourne si ne soit a celui ou ceux qi tende ou tendent leur traverses come desuis est dit & si aucuns lettres patentes soient faitz a contraire soient voides & tenez pur null.

taken, if it be adjudged for the King; (4) and if any letters patents of any lands or tenements be made to any other person to the contrary, or let to firm within the said month of the return, they shall be void, and holden for none.

(5) The which good statute and ordinance divers persons devising to subvert, and by their subtilty to serve as for no purpose, have sued to obtain such gifts and grants, and firms, by the King's letters patents, before any inquisition or title found for the King of the same, pretending such gifts and grants not comprised nor remedied by the said statute, notwithstanding that it is in like mischief of the said statute. (6) Our said lord

36 Ed. 3. c. 13.

the King, considering the premiffes, and willing to provide due remedy in this behalf, hath ordained by the authority aforesaid, That no letters patents shall be made to any person or persons, of any lands or tenements, before inquisition of the King's title in the same be found in the chancery or in his exchequer returned, if the King's title in the same be not found of record, nor within the month after the same return, if it be not to him or them which tender their traverses as afore is said; (7) and if any letters patents be made to the contrary, they shall be void, and holden for none.

Bro. Office, 56.
Dyer, 146.

No lands shall be granted before the King's title thereunto be found by inquisition, nor within a month after, unless it be to him that rendereth his traverse.

March 24.

23 H. 6. c. 17.
1 H. 8. c. 10.

CAP. VII.

In what time an escheator shall return an office found before him,

ITEM ordeigne est par lauctorite desuisdit qe en cas qe aucun eschetour preigne aucun office devaunt luy & ne retourne mesme office en la chancellerie.

ITEM, it is ordained by the authority aforesaid, That in case that any escheator take any office before him, and return not the same office in the chan-

An escheator shall return an office found before him in to the chancery or exchequer within a month.

chancery, or in the King's exchequer, in the month after the taking of the same, he shall incur the pain of xl. li. which he hath forfeit by the statute made the eighth year of our said lord the King: (2) and also he shall be charged to pay to the same our lord the King as much as he is endamaged in respect of not returning of such office; and that the chancellor of England call to him the treasurer of England in letting such fermes, to make due execution of the said statute made the said eighth year.

2 H. 6. c. 16.

2 H. 8. c. 3.

chauncerie ou leſchequer du Roy deins le moys apres la prise dicell qil outre la peyne de xl. li. les queux il ad forfait par leſtatut fait lan du reigne noſtre dit ſeignur le Roy oeptiſme ſoit tenuz a paier a meſme noſtre ſeignur le Roy a taunt come il eſt endamage a cauſe de non retourne de tiel office. Et qe le chaunceller dEngleterre appelle a luy te treſorer dEngleterre en leſſant tieux fermes pur due execution faire de dit eſtatut fait le dit an oeptiſme.

CAP. VIII.

What things be requiſite to make the King's ſafe conduct good.

ITEM, whereas many people of the commons aforeſaid, owners of ſhips and veſſels of this realm, and the maſters and mariners of ſuch ſhips, taking ſhips and veſſels of Spain, and of other parties, adverſaries and enemies to our ſaid lord the King, by the ſuit of merchants aliens of the King's amity, made before the King and his council, and ſometime before the chancellor of England, have been greatly vexed, and be daily, for that the ſaid takers do take their goods and merchandiſes charged in the ſaid ſhips and veſſels of Spain and other parts, enemies aforeſaid, and ſometime by falſe-witneſs, marks, and letters testimonials, contrived, the ſaid aliens be reſtored to the ſaid goods and merchandiſes with their damages and expences, to the great and grievous loſs of the ſaid owners, maſters, and mariners, takers aforeſaid, and diſcouragement to the King's liege people to make ſuch ſhips and veſſels, and in bindrance of the navy of the realm aforeſaid: (2) our ſaid lord

ITEM come pluſours gentz des communes ſuiſditz poſſeſſours de nieſs & veſſeaux du roialme noſtre ſovereigne ſeignur les maîtres & mariners de tielx nieſs & veſſeaux parnours des nieſs & veſſeaux de Spayne & dautres parties adverſaries & enemys au dit noſtre ſuveraigne ſeignur par le ſuyte des merchauntz aliens del amite du noſtre Roy fait devaunt le Roy & ſon counſaill & aſcun ſoit devaunt le chaunceller dEngleterre ount eſte graundement vexez & ſont de jour en autre de ceo qe les ditz parnours priſteront leur biens & merchandiſes chargez en meſmes les nieſs & veſſeaux de Spayne & autres parties enemys ſuiſditz & aſcun ſoit par faux teſmoignes marques & lettres testimonials contrevez ſount reſtorez as ditz biens & merchandiſes ove leur damages & expences a graunde & grevouſe damage des ditz poſſeſſours maîtres & mariners parnours ſuiſditz diſcorage as liges

lieges nostre dit seigneur le Roy a faire niefs & vesseaulx & en amenusement du navie du roialme suisdit nostre dit seigneur le Roy considerant la matier suisdit & coment les biens & merchaundises des lieges du Roy ensemble cas chargez & prizez sount forfaitz au Roy ad ordeignez & grauntez par lauctorite de suisdit qe les dit merchauntz aliens a lour volunte purrount charger tieulx niefs & vesseaulx de Spayne & dautres parties adversaries & enemys du Roy si les maistres possesseurs ou merchaunts de tielx vesseaulx & niefs eient les lettres patentes du Roy de son fauf-conduit suerte ou saufrage pur tielx niefs vesseaulx & merchaundise faisant mention du noun de niefs ou vesseaulx & de noun de mestre dicelles niefs & vesseaulx si come le manere est si ascuns tielx niefs ou vesseaulx chargez ove ascunes merchaundises de tielx merchauntz avaunt ditz soient prizez sur meer par lieges du Roy non eiant les lettres patentz du Roy come avaunt est dit dedeins le bord de tielx niefs ou vesseaulx a jour de la prise ne qe tielx lettres patentz le jour de la prise soient en la chauncellerie du Roy enrollez de recorde qe adonques les parnours possesseurs les biens & merchaundises ensi prizez pourront enjoyer & tenir ascun estatut ou ordenaunce fait en la contrairie non obstant. Et qe cest estatut & ordenaunce soit commence a tenir sa force a la fest de Seint Michel prochein veignaunt & qe proclamation en soit fait sur les costes de le meer tost apres cest ordenaunce al entent qe les ditz merchauntz aliens purrount avoir conisaunce de mesme lordenaunce,

lord the King considering the matter aforesaid, and how the goods and merchandises of the King's liege people in like case charged and taken be forfeit to the King, hath ordained and granted by the authority aforesaid, That the said merchants ^{What things} aliens, at their pleasure, may ^{are required} charge such ships and vessels of ^{to be performed} Spain, and of other parts, ^{ed by them} adversaries and enemies of the ^{who will take} King, if the masters, owners, ^{advantage of} or merchants of such vessels ^{the King's} and ships having letters patents ^{safe conduct,} of the King, of his safe conduct, surety, or safeguard for such ships or vessels, and merchandises, making mention of the name of the ships or vessels, and of the name of the master of the ships and vessels, as the manner is; (3) and if any such ships or vessels charged with any merchandises of such merchants aforesaid, be taken upon the sea by the King's liege people, not having the King's letters patents, as afore is said, within the board of such ships or vessels, at the day of the taking, nor that such letters patents at the day of the taking be in the King's chancery enrolled of record, that then the takers and possessors of the goods and merchandises, so taken, may enjoy and hold the same, any statute or ordinance made to the contrary notwithstanding; (4) and that this statute and ordinance shall begin to take his force at the feast of St. Michael next coming; and that proclamation be thereof made upon the sea-coasts incessantly after this ordinance, to the intent that the said merchants aliens may have knowledge of the same ordinance.

15 H. 6. c. 3.
20 H. 6. c. 1.
14 Ed. 4. c. 4.

Repealed by 7 Geo 7301

CAP. IX.

The warrant of attorney shall be recorded in the same term that the exigent is awarded.

so H. 6. c. 4.

A false entry, that the plaintiff in a suit doth offer himself in proper person, where he doth not.

ITEM, whereas in a statute expired, made the tenth year of the reign of our lord the King that now is, it was contained, That seeing divers of the King's liege people before that time had been outlawed, vexed, and greatly disquieted in divers suits, as well before the King himself in his bench, as in the common bench, in the records of which suits the entries have been made, that the plaintiffs in the same suits Obtulerunt se in propria persona sua, where the same plaintiffs in the same suits did not appear so such suits, nor had any knowledge of the same, to the great mischief of the said liege people, if remedy should not be provided: (2) Our lord the King, willing in this case to provide a remedy, did ordain, by authority of the same parliament holden the same year, that no snyder, exigenter, nor any other officer, from the same time should make any such entry in any such suit, except that the same plaintiff in the same suit, before any such entry shall be made, do appear in his proper person before some of the justices of the place where the plea was or shall be hanging; (3) and there shall be sworn upon a book, that he was the same person in whose name the said suit was sued, or that some other credible person of his council shall make such oath for him. (4) And that this ordinance shall endure until the next parliament following. (5) Our said lord the King considering moreover like damages, which happen as well to him, as to his poor liege people and subjects, for that in the records

ITEM come en un estatuit determine fet lan du reigne nostre seigneur le Roy qoreest xmo fust contenuz coment par ceo qe divers lieges le Roy avaut cez heures ount este utlages vexez & graundement disseizez en divers suytes sibien devaut le Roy mesme en son bank come en le commune bank en les records les queux suytes les entres ount este faitz qe le pleintifs en mesme le suytes optulerant se in propria persona sua lou mesme les pleintifs en mesme les suytes nappererunt as tielx suytes ne conuissance avoient de cell au graund mischief des ditz lieges si remedie ne serroit purveu en cell partie. Nostre seigneur le Roy voillant en ceo cas purvoier de remedie ordeigna par auctorite du parlement tenuz mesme lan qe null philicer exigenter ne autre officer depuis mesme le temps seroit tiel entre en ascun suyte sinon qe le pleintif en mesme le suyte avaut qe ascun tiel entre serroit fait apparage en le propre persone devaut ascun des justices de lieu lou le plee fust ou serroit pendant & illoques serroit jure sur un livre qil fust mesme la persone en qe noun le dit suyte fust suye ou qe autre creable persone de son counsaill serroit tiel serement pur luy. Et qe le dit ordonnance dureroit tanqe al prochain parlement apres ceo. Nostre dit seigneur le Roy considering outre ceo semblable damages le quel avient sibien a luy come a sez povres lieges &

& subjectz pur ceo qe en les recordes des divers & plusieurs utlagaries lentre est qe les parties apparent par leur attourneys lou les attourneys nount garraunt de recorde a cause de quel les dirz utlagaries sont reverfable & pur le greindre partie reverfez ad ordeigne par auctorite diceft parlement qe le dit estatut soit afferme tenuz & garde a durer a toutz jours. Et qe null officer contenuz en le dit estatut face le contraire dicell sur peyne de forfere xl. s. a Roy chescun soit qe il est de ceo atteint par due examination feet par aucun des justices de meisme le place devaunt qe aucun entre ou recorde est. Et qe chescun attorney qe nad son garraunt entre de recorde en toutz sez. fuytz en les queux proc' de Capias & exigent est agardable meisme le terme en le quel lexigent est agarde ou devaunt & sur ceo atteint par semblable examination pur chescun soit qe il issint offense encourge la peyne avaunt dit.

records of divers and many outlawries, the entry is, that the parties do appear by their attornies, where the attornies have no warrant of record, by reason whereof the said outlawries be reverfible, and for the most part reversed hath ordained by authority of this parliament, That the said statute be affirmed, holden, and kept to endure for ever. (6) And that no officer contained in the said statute, shall do to the contrary of the same, upon pain of forfeiture of forty shillings to the King, every time that he of that shall be attainted by due examination made by any of the justices of the same place before whom any entry or record is, (7) And that every attorney which hath not his warrant entered of record in all his suits wherein process of *Capias* and *Exigent* be awardable, the same term in which the *Exigent* is awarded, or before, and upon that be attainted by like examination for every time that he so offendeth, he shall incur the pain afore said.

The statute of 10 H. 6 c. 4. rehearsed and made perpetual.

The penalty if an attorney records not his warrant the same term the Exigent is awarded.

3 Ed. 1. c. 29.
32 H. 8. c. 30.
2 & 3 Ed. 6. c. 32.
18 El. c. 14.

C A P. X.

Commissions of sewers shall be awarded where need shall require, during ten years.

ITEM, whereas at the parliament holden at *Westminster*, at the xv. of St. *Michael*, the sixth year of the reign of our said sovereign lord the King for the great damages and losses, which happen by the great rising of water of the sea in divers parts of this realm, by authority of the same parliament it was ordained and granted, That by ten years then next ensuing, several commissions of sewers should be made to divers persons by the chancellor for the time being; to be named in all the parts of the said realm, where need should be, after the form that followeth in the same statute. And now of late in divers parts of the said realm by the great rising of water of the sea, many towns and lands in great quantity be drowned and destroyed, to the great hindrance of the said realm, and many great damages be likely to happen if remedy be not hastily provided in this behalf: The King, willing to provide for the same, hath ordained

Ex edit. Rast.

Commission of sewers.

dained and stablished by authority of this parliament, That by ten years next ensuing after this present parliament, several commissions of sewers shall be made to divers persons by the chancellor of *England* for the time being, to be named in all the parts of the said realm, where need shall be, after the form and effect of a commission contained in the said statute the same sixth year. And moreover he hath ordained and stablished by the same authority, That all such commissioners have power to make, ordain, and execute statutes and ordinances and other affairs after the effect and purport of the said commissions.

6 H. 6. c. 5.

CAP. XI.

Of what yearly value in lands a justice of peace ought to be.

1 Ed. 3. stat. 1.
c. 16.
18 Ed. 3. stat. 1.
c. 2.
13 R. 2. stat. 1.
c. 7.

ITEM, *Whereas by statutes made in the time of the King's noble progenitors, it was ordained, That in every county of England justices should be assigned of the most worthy of the same counties, to keep the peace, and to do other things, as in the same statutes fully is contained; which statutes notwithstanding now of late in many counties of England, the greatest number have been deputed and assigned, which before this time were not wont to be, whereof some be of small living, by whom the people will not be governed nor ruled, and some for their necessity do great extortion and oppression upon the people, whereof great inconveniencies be likely to rise daily if the King thereof do not provide remedy: (1) the King willing against such inconveniencies to provide remedy, hath ordained and established, by authority aforesaid, That no justice of peace within the realm of England, in any county, shall be assigned or deputed, if he have not lands or tenements to the value of xx. li. by year; (2) and if any be ordained hereafter to be justice of peace in any county, which hath not lands or tenements to the value aforesaid, that he thereof shall give knowledge to the chancellor of England for the time being, which shall put another*

No man shall be justice of peace unless he hath lands to the yearly value of xx. li.

Cro. Jac. 643.

ITEM come par les statutz faitz en temps du nobles progenitours du Roy ordeigne soit que en chescun counte d'Engleterre soient assignez justices de la pluis vaillaunt du mesmes les countees pur garder la peas & autres choses afaire come en mesmes lestatutz pleinement est contenuz les queux estatutz nient obstantz en plusours countees d'Engleterre ore tarde ount este deputez & assignez pluis graunde noubre que ne soleit avaunt ces heures dount ascuns sount de petit avoir par queux les gentz ne voillent estre gouvernez ne demesnez & ascuns pur lour necessite sount graunde extortion & oppression sur le people dount graundez inconvenientz sount semblablez de surdier de jour en autre si remedie ent par le Roy ne soit purveux. Le Roi voillant contre tielx inconvenientz purvoier de remedie ordeigne & establie par lauctorite desuisdit que null justice du peas deins le roialme d'Engleterre en null counte soit assigne ou depute si neit terre & tenementz a la value de xx. li. par an et si ascun soit ordeigne en apres justice du peas en ascun countee qui nad terre & tenementz a la value suisdit que il de ceo notifie le chaunceller d'Engleterre.

terre pur le temps esteant le quel mette ou autre suffisant en son lieux et sil ne face le dit notification come devaunt deins un moys apres ceo qe il ad notice du tiel commission ou sil seye ou face aucun garaunt ou precept par force du tiel commission qe il encourge la peyne de xx. li. & nientmeins soit ouste del commission come devaunt & eit le Roy lun moite du dit peyne & celuy qi voet fuer pur le Roy lautre moite & eit celuy qi ensy veult purfuer pur le Roy & pur luy mesme action a demander mesme la peyne par brief du dette al commune ley.

Purveu toutz foitz qe cest ordenaunce ne se extende as citees villes ou burghs queux sont countees incorporates de eux mesmes ne as citees villes ou burghs qe ont justices de peas des gentz demurantz en icell par commission ou graunte du Roy ou de sez progenitours. Purveu toutz foitz qe sils ne soient gentz suffisantz ciantz terres & tenementz a la *value suisdit apais en la ley & de bon governance deins aucun tiel counte qe le chaunceller dEngleterre pur le temps esteant eit poair de mettre autres discretz apais en la ley en tielx commissions mesqe ils ne eient terres & tenementz a la value suisdit par sa discretion.

another sufficient in his place; (4) and if he give not the said knowledge (as before) within a month after that he hath notice of such commission, or if he sit, or make any warrant or precept by force of such commission, he shall incur the penalty of xx. li. and nevertheless be put out of the commission as before, (5) and the King shall have one half of the said penalty, and he that will sue for the King, the other half; and he that will sue for the King, and for himself, shall have an action to demand the same penalty by writ of debt at the common law.

II. Provided always, That this ordinance shall not extend to cities, towns, or boroughs, which be counties incorporate of themselves, nor to cities, towns, or boroughs which have justices of peace of persons dwelling in the same by commission or warrant of the King, or of his progenitors. (2) Provided also, That if there be not sufficient persons having lands and tenements to the value aforesaid, learned in the law, and of good governance, within any such county, that the chancellor of *England* for the time being shall have power to put other discreet persons, learned in the law, in such commissions, though they have not lands or tenements to the value aforesaid, by his discretion.

Certain persons excepted, to whom this statute doth not extend.

* The word value, which is in the printed editions, Mr. Cay observes is not on the roll.

CAP. XII.

Appeals or indictments of felony committed, in a place where there is none such.

9 H. 5. c. 1.

ITEM, Whereas in the parliament holden at Westminster the second day of May, the ninth year of the reign of King Henry the Fifth, father to the King that now is, amongst other things it was ordained and established, for that many people by malice, envy, and revenge, cause often the King's liege people to be appealed or indicted in divers counties of treasons or of felonies, supposing by the said appeals or indictments, that the said treasons or felonies were done in a certain place in such a county where the indictment is made, or such a place as is or shall be declared by the said appeals, where no such place is in the same county, that the process of the same shall be void, and bolden for none; (2) and that the indictors, procurators, and conspirators, shall be also punished by imprisonment and fine, and ransom for the King's advantage, by the discretion of the justices; (3) and that the said apelles or indicted may have writs of conspiracy against their indictors, procurators, and conspirators, and shall recover their damages. (4) And this ordinance shall stand in his force until the next parliament to be holden after the coming again of the said late King into England, from beyond the sea; (5) which statute by the decease of the said late King, by opinion of some is expired, and by the opinion of some not expired. (6) The same our lord the King that now is, considering that the said ordinance was good and profitable for

ITEM come al parlement tenuz a Westm' al seconde jour de May lan du regne du Roy Henry quint pier au Roy quorest ixme entre autres ordelgne fust & establie pur ceo qe plusours genrz par malice enmite & vengeance facent souvent soytz des foislx lieges du Roy estre appelez ou enditees en divers countees des tresons ou des felonies supposantz par les ditz appellees ou enditementz qe les ditz tresons & felonies furent faitz en un certain lieu en tiel countee ou lemditement est fait ou tiel lieu come est ou ferra declare par les ditz appellees lou null tiel lieu est en mesme le countee qe le processe dicell soient voides & tenuz pur null et qe les enditours procurateurs & conspiratours soient auxint puniz par imprisonment syn & ransom pur avantage du Roy par discretion des justices et qe les ditz appellees ou enditees purront aver briefs de conspiracie vers leur enditours procurateurs & conspiratours & recoverer leur damages. Et qe cest ordonnance estoise en sa force tanqe a prochein' parlement a tenir puis la revenue le dit nadgairs Roy en Engleterre de pardela le quel estatut par le trespassement du dit nadgairs Roy par oppinion des aucuns est expire & par oppinion de aucuns nient expire. Mesme nostre seignur le Roy qorest considerant qe la dit ordonnance fust bon & profitable par le bien de luy & sez lieges ad declare

A writ of conspiracy maintainable against the indictors, procurators, and conspirators. Regist. 134. Rast. pl. 123. F. N. B. 115. K.

clare & ordeigne par auctorite dicest present parlement qe la dit ordonnance fait le dit an ixme & ensy par la mort de son dit pier come ascuns entendent expire & nient autrement repelle soit & demurge effectuell & availlable estatuit & ordonnance en ley perpetuelment a durer.

for the weal of him and his liege people, hath declared and ordained by authority of this present parliament, That the said ordinance made in the said ninth year, and so by the death of his said father, as some think, expired, and not otherwise repealed, shall be and abide an effectual and available statute and ordinance in law perpetually to endure.

A confirmation of the stat. of 7 H. 5. c. 1. & 9. H. 5. c. 1. touching appeals or indictments of felony or treason.

C A P. XIII.

A confirmation of the statute of 9 Hen. V. c. 2. concerning forfeitures on outlawries in the county of Lancaster.

ITEM, Whereas at the parliament holden at Westminster, the second day of May, the ix year of the reign of King Henry the Fifth, father to the King that now is, among other things it was ordained and stablished, That none of the King's liege people, against whom any exigent shall be awarded, or outlawed at the King's suit in time to come, or at the suit of the party in the county of Lancaster, should forfeit any of his goods or chattels, lands or tenements in other counties; except the goods and chattels lands or tenements which the said outlaws have in the same county of Lancaster. Provided always, That the statute made the first year of King Henry the Fourth, father to the same King Henry the Fifth, against the people of the county of Chester, which do to divers of the King's liege people in divers counties of England, divers manslaughters, murders, robberies, batteries, trespasses, and other riots and offences, shall stand in his force, notwithstanding this ordinance. And that the said ordinance shall stand in his force till the parliament first be holden after the return of the said late King Henry the Fifth, into England from beyond the sea, which statute by the decease of the said late King Henry the Fifth, by opinion of some is expired, and by the opinion of some not expired: our sovereign lord the King, considering the premisses, hath declared and ordained by authority of this present parliament, That the said ordinance, in the manner and form made the said ix. year, 9 H. 5. c. 2. by the death of the said late King Henry the Fifth, as some think expired and not otherwise repealed, shall be and remain effectual, and an available statute and ordinance in law to endure till the next parliament, and so forth for ever, if so be that betwixt this and the same next parliament, no such inconvenience happen in this behalf, for the which it shall seem to the King, and the lords of the parliament at this time, that it shall not be expedient this ordinance to endure longer after the same next parliament.

Ex edit. Rast.
Exigend.
Outlawry.
County of Lancaster.

Chester.

20 H. 6. c. 2.
31 H. 6. c. 6.

CAP. XIV.

The penalty for taking bribe in the arraying of a jury.

Perjury.
Panels.

Sheriff.

ITEM, forasmuch as great perjuries daily abound within the realm of England, more than were wont to be in times past, by occasion of favourable arrays and panels made by the sheriffs and undersheriffs, which have power to make or array such arrays or panels for money, and great rewards that they take for the same, whereby divers of the King's liege people be disherited and hindered, and other put to great loss of their goods and chattels, and some to great peril of their lives, against right, good faith, and conscience: the King considering the premisses, and willing to avoid such perjuries, hath ordained and granted by authority aforesaid, That if any sheriff, undersheriff, or other, which have power to make and array such arrays and panels, take by him or by any other to his use, any hire, gift, or reward to make or array such arrays or panels, that he which feeleth himself grieved in this behalf, shall have his suit by writ or by bill against the sheriff, undersheriff or other, which maketh such arrays or panels, before the justices where the said arrays and panels shall be returned, to recover ten times as much as they shall receive for making such arrays or panels. And the said justices shall have power by authority aforesaid, to hear and determine such suits, as well by examination of the defendants in these suits, as by trial of inquests thereof to be taken, and to give judgment for the said plaintiffs, against the said defendants, and every of them which so shall be found guilty, and upon that to award execution. And in every such suit by writ, such process shall be awarded as should be awarded in a writ of trespass done against the King's peace. Provided, That every suit which shall be taken against the sheriffs, undersheriffs, or other, which shall make or array such arrays or panels, be taken in the same counties where they shall be sheriffs, undersheriffs or officers at the time of such panels or arrays to be made or arrayed. And that this ordinance shall begin to hold place at the feast of *Easter* next coming, and shall endure till the next parliament. And if at the next parliament it shall seem to the King and to the lords, which then shall be in the same parliament, that this ordinance is good for the weal of the King and of his realm, then this ordinance shall endure for ever: *saving always to every person his liberty and franchise.*

CAP. XV.

It shall be felony to carry wool or woofels to any other place than to Calais, saving such which pass the streights of Marrock.

Staple of
Calais.
Wools woofels, &c.
3 Inst. 95.

ITEM, the King considering how divers persons, by divers subtil imaginations of deceit, carry and bear away wools and woofels out of this realm, to other places than to the staple of Calais, in deceiving the King of his customs and subsidies, and to the destruction of the

*the said staple of Calais: hath ordained by the authority afore-
said, That no manner of person, of what condition that he be,
shall carry, or do to be carried any wools or woolfels customably
out of this realm, to other places than to the staple of Calais,
without the King's special licence, upon pain of felony. And* **Felony.**
*if any person from henceforth do contrary to this ordinance,
and thereof be convict or attainted, that he be adjudged for a
felon. And that as well commissioners assigned as the justices,
in every county where such wools and woolfels shall be so car-
ried out, shall have power and authority by the same ordinance
to inquire of the premisses, and then to hear and determine.
Provided always that the wools, which pass the streights of Marrock,
shall be in no wise comprised within this ordinance.*

**Streights of
Marrock.**

CAP. XVI.

*There shall be but one measure of cloth through the realm by
the yard and the inch, and not by the yard and the hand-
ful, according to the London measure.*

ITEM, *forasmuch as it is meritorious and alms, to depart the
truth from the deceit, as now of late in a parliament holden at
Westminster, much deceit was put out, that greatly endamaged many
persons, which was called a Saust, otherwise called a powder or an
bauncer, which grieved many faithful people, and as now it is to be
considered, that great deceits be now used, which do endamage the poor
cloth-makers and the sellers of cloths which in measuring unduly with-
out reasonable measure, as well of broad cloth and streit as much by* **Cloth makers.**
*the hands of the merchants aliens, as denizens, as well in fair, market,
city, and borough, and specially in the city of London, as in other* **London.**
*places, where such cloth-makers and sellers of cloth be most commonly
used, and in time to come ought to be repairing, for where they were
wont to measure the cloth by the yard and the full inch, now they will* **Measuring of
Cloth.**
*measure by the yard and the full hand, which groweth to the increase
of the buyer two yards of every cloth of xxiiij. yards, which increase
turneth to the avail of no man, of what degree soever he be, but only
to the buyer. For when a lord shall buy his livery, he shall find the
same in measure or in price. And so they be oppressed with a great
and unreasonable measuring of their cloths, for where any merchant of
this land, but at London, will make a cloth in measuring xxiiij.
yards, they will make thereof xxij. or less, saying that it is the measure
of London: by which oppression many men be grievously endamaged.
Our sovereign lord the King, considering the premisses, doth or-
dain by the authority afore said, in every place of this land to be
one certain measure, whereas there is a warden of the aulnage* **Measure.**
of cloth that he have a line made of silk or of thread, of the right **Warden of
aulnage.**
*measure in manner of streight tiffue, sealed at both ends, after
the advice of the barons of the exchequer. And every warden
of the aulnage shall pay for his line, which line shall contain in
length twelve yards, and twelve inches, and the said line signed
at every yard an inch, and at the end of the half yard, half an
inch, the quarter of a yard, a quarter of an inch, to measure a
whole*

Line sealed.

whole cloth or a dozen broad or streight, measuring for the dozen of cloth watered, twelve yards and twelve inches, and of dry cloth unwatered fourteen yards and fourteen inches; so measuring the length till the end of the cloth, according as it is of length in manner as aforesaid: when the said warden of the aulnage is required, taking for his labour for every whole cloth of broad cloth, a penny, and for every streight cloth a farthing. And in the city of *London*, and other cities, boroughs, fairs, and markets, where cloth is most used to be sold, that there the warden of the aulnage, or his deputies shall be ready to do right betwixt merchant and merchant, if he be required. Provided, That if the merchant seller have a line sealed with the King's seal of the exchequer, in the manner afore rehearsed ready, then himself to measure his cloth by the same in reasonable manner, if they may not agree to measure by the yard, any whole cloth or dozen broad or streit, any franchise notwithstanding. And if the merchant seller measure not rightfully but deceitfully and that immediately may be proved by indifferent persons, then he shall forfeit for every cloth six shillings and eight pence, whereof two parts shall be to the King, and the third part to him which will sue. And if any merchant buyer will refuse this ordinance, then he shall forfeit an hundred shillings, two parts to the King, the third part to him that will sue for the same. And so one manner of rightful measuring shall be used in all this land, as well as of right weight. And that this ordinance shall endure till the next parliament.

Merchant
deceitfully
measuring.

CAP. XVII.

Vessels of wine, oil, and honey, shall be gauged.

ITEM, because all the tuns, pipes, tertians and hogheads of wine, oyl, and honey, vendible within the realm of England, ought and were wont according to the antient assise of the same realm, to contain a certain measure, that is to say, every tun twelve-score and twelve gallons, every pipe six-score and six gallons, every tertian four-score and four gallons, and every hoghead three-score, and three gallons; (2) and by divers statutes it hath been ordained, That the tuns and pipes of wine shall be gauged; (3) but for the gauging of tuns, and pipes of oil and honey, or of tertians and hogheads of wine, no ordinance hath been made in certain before this time, to the great damage of the

ITEM, pur ceo qe toutz les tonels pipes tertians et hoggeshedes de vin oyle & mele vendables deins le roialme dEngleterre doient & soloient solonc launcien assise de mesure le roialme contenir un certain mesure cestassavoir chescun tonell $\frac{xx}{ij}$ galons chescun pipe $\frac{xx}{ij}$ galons chescun tertiane $\frac{xx}{ij}$ galons chescun hoggeshed $\frac{xx}{ij}$ galons & par divers estatutz soit ordeigne qe les tonels & pipes de vin soient gaugez mais pur le gauger de tonels & pipes de oyle & mele ne de tertians & hoggeshedes de vin null ordenaunce de certain estoit fait devant ces heures au grande damage du Roy & du son people. Le Roy voilant

Confirmed by
28 H. 8. c. 14.
f. 5.
Leonard, 38.
pl. 52.

King

lant encountre cest damage purvoier de remedie en cest partie ad graunte & ordeigne par auctorite desuisdit qe delore enavaunt toutz maners tonels pipes tertians & hoggesheades tant de vin come de oyle & mele a vendre deins le dit roialme soient bien & loialment gaugez par le gaugeour du Roy ou par son deputee devaunt qe ils soient venduz sur peyne de forfaire au Roy tout le vin oyle & mele en contrarie venduz ou la value dicell. Et en cas qe ascun persone de quelque pais qil soit delore enavaunt vende a ascun liege du Roy pur ascun price en certain ascun tonell pipe tertian ou hoggeshead de vin oyle ou mele qe defaillie ascunement del assise & mesure avauentdit qil alowe & rebate de moine la price a lachateur de tel vin oyle & mele a taunt come tel default par la rate amonttera sur peyne de forfaire au Roy le value de tout le vin oyle & mele au contrarie venduz ascun prive covenant fait ou affaire entre le vendour & lachateur au contrarie de cest ordonnance non obstant. Et eit chescun qi espie ascun des forfeitures avauentditz & ent enforme le tresorer d'Engleterre ou les barons del eschequer le moine de meisme les forfeitures per son travail.

Parveux routz soit qe le dit gaugeour preigne & eit pur son labour entour le gaugeour de chescun tonell & pipe de oyle & mele sicome il prent et ad de chescun tonell & pipe de vin & pur chescun tertiane & hoggeshead solonc lasserant.

honey, as he taketh and hath of every tun and pipe of wine, and for every tertian and hogshhead after the rate.

King and of his people. (4.) The King willing against this damage to provide a remedy in this behalf, hath granted and ordained by authority aforesaid, That from henceforth all manner of tuns, pipes, tertians, and hogshheads, as well of wine as of oil, to be sold within the realm, shall be well and lawfully gauged by the King's gauger, or by his deputy, before they be sold, upon pain to forfeit to the King all the wine, oyl, and honey, contrary sold, or the value of the same. (5) And in case that any person, of what country that he be, from henceforth sell to any of the King's liege people, for any price in certain, any tun, pipe, tertian or hogshhead of wine, oil, and honey, which wanteth in any wise of the assise and measure aforesaid, that he allow and abate of the same price to the buyer of such wine, oil, and honey, as much as such default after the rate shall amount unto, (6) upon pain to forfeit to the King the value of all the wine, oil, and honey to the contrary sold, any privy covenant made or to be made betwixt the seller and the buyer contrary to this ordinance notwithstanding. (7) And every person that espieth any of the forfeitures aforesaid and thereof doth inform the treasurer of *England*, or the barons of the exchequer, shall have the half of the same forfeitures for his labour.

II. Provided always, That the said gauger take and have for his labour for the gauging of every tun and pipe of oil and

All vessels of wine, oil and honey, shall be gauged and the content of every vessel to be sold.

Abatement shall be made of the price for the quantity wanting.

4 Mod. 101.

The gauger's fee for gauging of a tun or pipe of honey or oil.

27 Ed. 3. stat.

1. c. 8.

23 H. 6. c. 26.

1 R. 3. c. 13.

11 H. 7. c. 4.

CAP. XVIII.

How much a captain shall forfeit that doth detain any part of his soldiers wages.

The inconveniencies ensuing by captains not paying of their soldiers.

ITEM, For that the King is and hath been well certified of many great deceits and falsities, which hath been done to him and to his realm by some of the captains which have before this time indented with the King to serve him in the feat of war, some beyond the sea and in divers parts, as they be appointed and bound by their indentures, and some in his marches on this side the sea, and their wages have been truly paid and contented by the King, according to their indentures, for them and for all their retinue, according to their degrees, which wages many of the said captains have abused, and taken upon them to deduce from their soldiers, of some more, and some less; so that such, from whom they have abated, have not been able to continue their service, nor perform the same as of right and reason they ought to have done, and peradventure were willing to have done, if they had been fully paid; which hath caused them to fall to robbery and pillage, as well on this side the sea before their going, as beyond the sea, when they came thither, amongst other things it hath been a great cause of long continuance of the war, and great damage and loss which hath fallen to the seignories and countries of the King in his obeisance beyond the sea, and not only that, but loss also of great treasure which hath been granted to the King, and paid in the form aforesaid for the defence of his land.

The forfeiture of a captain that doth detain any part

II. The King, willing against such damages and losses to provide a remedy in this behalf, hath

ITEM pur ceo qe le Roy est & ad este bien apries de plusieurs & grandes disceites & fauxins queux ont este faitz a luy & a son roialme par aucuns de les capitains qi ont avaut ceo endentez ove le Roy de luy servire en le fait de guerre aucuns de pardela & as diverses parties sicome ils sont ordeignez & obligez par leur endentours et aucuns en sez marches de pardece & de le Roy pur leur gages ont este droitment paie & contentez accordant a leur ditz endentours pur eux & pur toutz leur retenues selonc leur degres de les quelles gages plusieurs des ditz capitains ont abusez & priz sur eux dabatier sur leur soldours dascun plus & dascun meyns issint qe tielx sur queux ils ont abatez nount este de poair de continuer leur service ne ceo parfourmer come de droit & reason ils duissent aver fait & fortunelement voilloient aver fait s'ils fussent este pleinement paie le quel ad cause eux decheier a robberie & pilage sibien devaut leur alance de pardece come de pardela quant ils la vendront entre autres ad este une grande cause de la longe continuance de la guerre & grande damage & perde qi ont cheiez a lez seignuries du Roy & pays en sa obeisance de pardela et nient ceo tantsolement mes perde auxil de grande bien qad este graunte au Roy & paie en la fourme avautdit pur la defense de sa terre.

Le Roy voillant encuntre autielx

autielx damages & perdes pur-
voier de remedie en cell partie
ad ordeign par lauctorite suif-
dit qe null capitaine qi desore
enavaunt avera le conduite
dautielx retenues & recevra
les gages le Roy pur ceo abata
de sez fouldours ne de ascun de
eux ascun partie de leur gagez
sinon qil soit pur leur vesture
cestassavoir sils soient gagez
pur un dimi an x. s. une robe
un gentile home & vj. s. viij.
d. pur un vadlet sur peyne de
xx. li.' pur chescun lance &
x. li.' pur chescun arc au Roy
sur qi il abata sur le tenure
dicest.

hath ordained by the authority of his soldiars
aforesaid, That no captain wages.
which hereafter shall have the
conduct of such retenues, and
shall receive the King's wages
for the same, shall abate of his
soldiers, nor any of them, any
part of their wages, except it
be for their clothing, that is a captain may
to say, if they shall be waged
for half a year, ten shillings a
gown for a gentleman, and six
shillings eight pence for a yeo-
man, upon pain of twenty
pound for every spear, and ten
pound for a bow to the King,
from whom he did abate upon
the tenour of the same.

For what cause
abate his sol-
diers wages,
and how
much.
2 & 3 Ed. 6.
c. 1.

C A P. XIX.

*The penalty of a soldier not going with, or departing from
his captain without licence.*

ITEM pur ceo qe diverses &
plusours soldeours devaunt
cest temps les queux ount pri-
sez leur gages parcell ou dimi
de leur captains & issint ount
monstrez & entreez de recorde
lez soldeours du Roy devaunt
sez commissiouners pur tielx
termes pur quels leur maistres
ount endentez ount ascun
temps maintenaunt apres leur
monstre & la receipt de leur ga-
ges partie ou tout departez &
alez lou ils voillent et nount
my passez le meer ove leur ditz
captains & ascuns passez le
meer & longement deinz leur
termes departez a leur capi-
tains & a le service du Roy
sauns licence apparent graun-
tez a eux par leur ditz capi-
tains dount ad crewe sy graun-
de damage au Roy & a son
roialme & si plusours inconve-
nementz qe ne poient legier-
ment estre expressez sicome de
long temps la experience ad
monstre & les queles soldeours
issint faisantz entaunt come en

ITEM, seeing divers and many 3 Inf. 36.
soldiers before this time, which
have taken parcel or half their
wages of their captains, and so
have mustered and been entered of
record in the King's soldiers before
his commissioners, for such terms
for which their masters have in-
dented, have sometime presently
after their muster, and the re-
ceipt of part or of the whole of
their wages, departed and gone
where they would, and have not
passed the sea with their said cap-
tains, and some passed the sea, and
long within their terms departed
from their captains and the King's
service, without apparent licence
to them granted by their said cap-
tains, whereof hath grown so
great damage to the King and to
his realm, and so many inconve-
nencies, which cannot easily be ex-
pressed, as of long time the expe-
rience hath shewed, and the which
soldiers so doing, as much as in
them was, decayed the honour and
reverence of the King, and have
been many ways great causers of
the

the losses which have ensued in his lands and seigniories beyond the sea, and the adventure also of the persons of the lords and captains which did conduēt them.

It is felony for a soldier retained to serve the King in his wars to leave his captain without licence. Enforced by 2 & 3 Ed. 6. c. 2.

II. The same King considering the premises, and willing against such inconveniences and damages to provide a remedy, hath ordained by the authority aforesaid, That every man so mustering and receiving the King's wages, which departeth from his captain within his term, in any manner aforesaid, except that notorious sickness or impediment by the visitation of God (which may reasonably be known) suffer him not to go, and which he shall certify presently to his captain, and shall repay his money, so that he may provide him for another soldier in his place, he shall be punished as a felon; (2) and that the justices of peace shall have power to inquire thereof, and to hear and determine the same. (3) And likewise hath ordained by the same authority, That no soldier, man of arms, or archer, so mustered of record, and going with his captain beyond the sea, shall return into *England*, within the term for which his captain hath retained him, nor leave his captain there in the King's service, and in adventure of the war, except that he hath reasonable cause shewed by his captain, and by him to the chief in the country having royal power, and thereupon shall have licence of the said captain, witnessed under his seal, and the cause of his licence.

Chief officers of ports, &c. shall arrest soldiers return-

(4) And who that so doth muster of record, and come without letters testimonials of the captain

eux fuist anienteront lonour & la reverence du Roy & ount estez plusours graundes causeours des damages qe ount cheiez en sez terres & seignuries de pardela & laventure auxint de les perones de les seignurs & capitains qi eux conducueront.

Mesme le Roy consideraunt les premisses & voillant encounter tielx inconveniences & damages purvoier de remedie ad ordeigne par lauctorite suifdit qe chescun homme issint moustrant & receyvant les gages le Roy le quel departe a son capitain deins son terme en ascun manere avaundit ovefque ceo qe notoire maladie ou impediment par la visitation de Dieu le quel poet estre conuz raisonnable ne luy lessuet & le quel il certifia maintenaunt a son capitain & repaie sa money sicome il poet purvoier luy pur un autre soldeour en son lieu soit punyshe come un felon et qe les justices de la pees eient poair denquerrre de ceo & doier & terminer en icell. Et semblablement ad ordeigne par mesme lauctorite qe null soldeour home darmes ne archer issint moustrez de recorde & alant ovefque son capitain de pardela reveigne ycy en Engleterre deins le terme pur qi son capitain endentera ne lessa son capitain la en le service du Roy & en aventure de la guerre saunz ceo qil eit cause raisonnable monstre par son capitain & par luy a le chief en le pays eiant le poair roial & sur ceo eit licence de la dit chiefteyne tesmoigne desoubz son seal & la cause de sa licence. Et qi issint moustree de recorde & veigne saunz lettres testimonials de le chiefteyn come des-

suifdit

fuisdit deins son terme de par-dececa qe les mairs baillifs & autres ministres du Roy de quel port ou lieu en qi il ou ils arrivount eient auctorite de eux mettre en arest & de eux la garder tanqe de eux soit enquiz et sil poet estre trove par enquerre devaunt justices de la peas & provez qils ount issint monstrez de recorde & departiez a lour capitains desuisditz saunz licence come est desuisdit qe adonqes ils soient puniz come felons.

captain (as is said) within his term on this side the sea, that the mayors, bailiffs, and other the King's ministers, at what port or place they shall arrive, shall have authority to put them in arrest, and them there to keep until it be of them inquired; (5) and if it be found by inquiry before justices of peace, and proved that they have so mustered of record, and departed from their captains aforesaid without licence, as afore is said, that then they shall be punished as felons.

ing from beyond the sea, and detain them until the cause of their return be tried.
Regist. 197.
2 R. 2. stat. 1.
c. 4.
4 & 5 Ph. & M.
c. 3.
Extended to mariners and gunners by 5 El. c. 5. f. 27.

Statutes made at *Westminster*, Anno 20 HEN. VI.
and Anno Dom. 1442.

NOSTRE seigneur le Roy a son parlement tenuz a Westm' le jour de conversion de Seint Paule le xxv. jour de Januair' lan de son regne xxe a lonour de Dieu & pur le bien de luy & son roialme de ladvis & assent des seignurs espirituelx & temporelx & a la especial request des communes en mesme le parlement assemblez ad fait ordeigner & establier diversez estatuitz & ordinaunce en la fourme qensuit.

OUR lord the King, at his parliament holden at Westminster, the day of the conversion of St. Paul, the five and twentieth day of January, the twentieth year of his reign, to the honour of God, and for the weal of him and of his realm, by the advice and assent of the lords spiritual and temporal, and at the special request of the commons in the same parliament assembled, hath made, ordained, and established divers statutes and ordinances in the form following.

CAP. I.

All letters of safe conduits shall be inrolled in the chancery.

Primement come poverez merchauntz dicest roialme de jour en autre sount disrebbes par les enemys du Roy sur le mer & deins mesme le roialme de leurs niefs & biens & merchaundises de grande richesse & lour corps prisez emprisonnez ove grande duresse & myz a grande finaunces & raunson & les poveréz lieges du

FIRST, Whereas poor-merchants of the King of this realm daily be robbed by the King's enemies upon the sea, and in divers rivers and ports within the same realm, of their ships, goods, and merchandises, of great riches, and their bodies taken and imprisoned with great duresse, and put to great fines and ransoms, and the King's poor subjects dwelling nigh

Mischies arising from the non-inrollment of letters of safe conduct.

the sea-coasts taken out of their own houses, with their chattels and infants upon land, and carried by the said enemies where it pleased them; (2) which mischiefes come by reason that the said merchants be discouraged with force and puissance of ships, and of people defensible, to keep the sea and the coasts of the same, for that the ships, goods, and merchandises by them taken from the said King's enemies, be sometimes claimed by the King's enemies, by colour of safe conducts not duly purchased, nor of record inrolled, so that the King's subjects may have notice of them, (3) and sometime be claimed by merchants strangers of the King's amity, to be belonging to them, by colour of false witnesses of their nation, and by letters of marque and charters partly by them counterfeited, and by such proofs upon such claims be restored to the same goods and merchandises often taken in ships and vessels belonging to the King's enemies, and the said King's subjects put to great vexation, and loss of their own goods, (4) whereby the said King's enemies be greatly enriched, and their navy strongly increased, and the navy and merchandise of the said realm of our lord the King greatly diminished, and such damages and inconveniencies daily be likely to increase and come to the said realm of our said lord the King, if speedy remedy in this case be not provided:

All letters of safe conduct, not inrolled in chancery, to be void.

13 H. 6. c. 8.

II. Our said lord the King considering the premises, and that if people of the King's amity be feared and discouraged to freight the ships and vessels of the King's enemies and adversaries, their navy in time to come will be decreased and diminished, and the navy of the King's subjects and friends increased and enlarged; by the advice and assent afore-

1

said,

du Roy demurantz pres les costes du mēer hors de leurs propre maison ove leur cha-teux & enfauntz sur le terre prisez & ove les ditz enemys ou leur plest amēnez queux mes-chiefs vieignent pur ceo qe les ditz merchauntz sount discour-agez ove force & puissans de niefs & de gentz defensibles de gardier le meer & les costes dicell a cause qe les niefs biens & merchandises par eux prisez des ditz enemiz du Roy sount ascun foitz claimez par les enemys du Roy par colur de faul-conducts nient dument pur-chacez ne de recorde enrollez ensy qe les subgetz du Roy pur-rout aver notice de eux et as-cun foitz sount claymez par marchantz estraungez del am-iste du Roy destre a eux ap-purtenauntz par colour de tes-moigneiz meins verrois de leur nation & par merches lettres & chartres parte par eux coun-trefaitz & par tielx provez sur tielx claimes sount restorez a mesmes les biens & merchan-dises tressuvent foitz prisez en niefs & vesselx appurtenauntz a les enemyes du Roy & les ditz enemyz du Roy graunde-ment sount enrichiez & leur navie fortement encrece & la navie & merchandise du dit roialme nostre dit seigneur le Roy grevouement amenusez & tielx damages & inconve-nientisez de jour en autre sount verisemblable dencrecer & ave-nere a dit roialme.

Nostre dit seigneur le Roy consideraunt les premises & qe si gentz del amistee du Roy eient pavoire & discouragement d'as-fretter les niefs & vesselx de les enemyes & adversaries de Roy leur navie en temps avenir serra decreesse & amenuse & la navie

des

des ſubgitz & amyez du Roy encreſſe & enlarge del advys & aſſent deſuiſdit & a leſpeciale requeſt des ditz communes pur eſchewer les myſchiefs ſuiſditz ad ordeigne par auctorite du dit parlement qe toutz lettres de ſaufconduit a grauntierz a les enemys adverſaries du Roy ou autre gentz qeconques ſoient enrollez en la chauncerie du Roy de recorde avaunt qe tielx lettres ſerrount grauntez et qe toutz tielx lettres de ſaufconduit en apres a grauntiers nient enrollez de recorde en la dit chauncerie avaunt le livre a eux affaire en la manere come eſt dit ſoient voides & de null force & effect.

Et enoutre ſi en apres aſcuns biens ou merchandiſes ſoient priſez par les ditz ſubgitz du Roy ſur le meer ou les coſtes dicell chargez en aſcun nieſ ou autre veſſell qeſt appurtenaunt a les enemiz ou adverſaries du Roy pur le temps eſteauntz nient eiantz lettres de ſaufconduit ſuffiſauntz en la forme ſuiſdit enrolles qe ceux qi meſmes les biens & merchandiſes enſy prenderount les enjoyent ſaunz aſcun reſtitution ent affaire en aſcun manere a qeconque perſone meſmes les biens & merchandiſes enſy priſez al temps del prys de ycells ou devaunt furent appurtenauntz.

Purveu toutz ſoit qe ſi les ditz ſubgitz du Roy preignantz tielx nieſs chargez ove merchandiſes nient eiantz & monſtrantz tielx lettres de ſaufconduit deins meſmes les nieſs al temps del dit pris les ameſnent par force a un certain port ou lieu deins le dit roialme ne ſoient endamagez en lour perſon ne biens pur tielx pris ſils ſoient preſtez a faire plein reſtitution

ſaid, and at the ſpecial requeſt of the ſaid commons, to eſchew the miſchiefs aforeſaid, hath ordained by authority of the ſaid parliament, That all letters of ſafe conduct to be granted to the King's enemies and adverſaries, or any other people whatſoever, ſhall be inrolled in the chancery of our ſaid lord the King of record, before that any ſuch letters ſhall be in any wiſe delivered to them to whom the ſame letters ſhall be granted; (2) and that all ſuch letters of ſafe conduct, hereafter to be granted, not inrolled of record in the ſaid chancery, before the delivery to them to be made in the manner as is ſaid, ſhall be void, and of no force nor effect.

III. And moreover, if hereafter any goods or merchandiſes be taken by the ſaid ſubjects of our lord the King upon the ſea, or the coaſts of the ſame, charged in any ſhip or other veſſel, which is belonging to the enemies or adverſaries of our lord the King for the time being, not having ſufficient letters of ſafe conduct inrolled in the form aforeſaid, that they which ſo ſhall take the ſame goods and merchandiſes ſhall them enjoy without any reſtitution thereof to be made in any wiſe, to whatſoever perſon the ſame goods and merchandiſes ſo taken, at the time of the taking of the ſame, or before, were belonging.

IV. Provided always, That the ſubjects of our lord the King, taking ſuch ſhips charged with merchandiſes, not having nor ſhewing ſuch letters of ſafe conduct within the ſame ſhips at the time of the ſaid taking, and bringing them by

Prizes of goods or merchandiſes taken from the King's enemies ſhall be reſtored, unleſs letters of ſafe conduct are inrolled before their apprehenſion.

Proviſo for the indemnity of the mariners, and the proof of the inrollment.

force to a certain port or place within the ſaid realm, ſhall not be endamaged in their perſon nor goods for ſuch taking, if they be ready to make full reſtitution of the ſame ſhips and merchandiſes, within reaſonable time, after that full knowledge is made to them of ſufficient letters of ſafe conduct for the ſame ſhips and merchandiſes, inrolled in the ſaid chancery of record before the taking of them. Provided alſo,

titution de meſmes les niefs & merchandiſes dedeins temps reſonable apres ceo qe plein notice eſt fait a eux de lettres de ſaufconduct ſuffiſantz pur meſmes les niefs & merchandiſes enrollez en la dit chancerie de recorde devaunt le pris de yceux. Purveu auxi qe ceſt ordinaunce comence a tenir ſon force a le feſte de Saint Michell larchaungell proſchein avenir.

24 Ed. 4. c. 4. That this ordinance ſhall begin to hold his force at the feaſt of Saint *Michael* the archangel next coming.

CAP. II.

No perſon outlawed within the county of Lancaſter ſhall forfeit any goods or lands but thoſe which be hath in the ſame county.

Ex edit. Raſt.
Exigend.
Outlawry.
County of
Lancaſter.

ITEM, our ſaid ſovereign lord the King hath ordained by the authority aforeſaid, That none of his liege people, againſt whom Exigend ſhall be awarded or outlawry pronounced, at the ſuit of the King, or at the ſuit of the party in time to come in the county of *Lancaſter*, ſhall forfeit any of his goods or chattels lands or tenements, which the ſaid outlaws, or they againſt whom ſuch Exigend ſhall be awarded in the ſaid county of *Lancaſter*, have in the ſame county. And that by reaſon of ſuch outlawry at the ſuit of another perſon pronounced within the ſaid county of *Lancaſter*, no man ſhall be debarred nor diſabled of any manner of action, nor to claim any manner of inheritance, out of the ſame county, nor diſabled to ſue any manner of action out of the ſame county, notwithstanding ſuch outlawry upon him pronounced. Provided alway, That the ſtatute made the firſt year of King *Henry* the Fourth, grandfather of the King that now is, againſt the people of the county of *Cheſter*, which do to many of the King's liege people in divers counties of *England* many manſlaughters, murders, robberies, batteries, treſpaſſes, and other riots and offences, ſhall ſtand in his force, this ordinance notwithstanding. And that this ordinance ſhall endure till the end of ſeven years next enſuing.

County of
Cheſter.
9 H. 5. c. 2.
18 H. 6. c. 13.
31 H. 6. c. 6.
Rep 33. H. 6.
c. 2.

CAP. III.

It ſhall be high treaſon for Welſhmen to take and carry away Engliſhmen or their goods into Wales, or there to withhold them.

Confirmed for
three years by
27 H. 6. c. 4.
Wales.

ITEM, Forasmuch as at the grievous complaint made to the King by the commons in the counties of *Hereford*, *Glouceſter*, and of *Shropſhire*, which counties be adjoining to the marches of

of *Wales*, and in the counties of *Somerſet*, *Cheſter*, and *Briſtol*, it was ſhewed to the ſame our ſovereign lord the King, that whereas another time in time of the noble King *Henry*, grandfather to our ſovereign lord the King that now is, the ſecond year of his reign, for the great oppreſſions and extortions, which they of *Wales* and of the marches of *Wales* daily made to people dwelling in the ſaid counties of *Hereford*, *Glouceſter*, and *Shropſhire*, in taking bringing and bearing away of their horſes, beaſts and other goods and chattels, out of the ſame counties into the ſaid marches, and ſuch goods horſes and chattels there withholding till gree be made at their will. It was ordained and eſtabliſhed, That if any beaſts, goods, or chattels, be taken within the ſame counties, and driven or brought out of the ſaid counties into *Wales*, or into the marches of *Wales*, that then the ſheriffs of the ſame counties, mayors or bailiffs of cities and boroughs, or bailiffs of franchises, where ſuch takings be made, ſhall ſend their letters under their ſeals to the governors, or to the ſtewards of the ſeigniories, where ſuch offenders be abiding, that they ſhall deliver ſuch diſtreſſes ſo taken, within eight days of the receipt of the ſaid letters. And if they do not, that the parties ſo grieved ſhall take any perſons goods or chattels coming out of the ſaid ſeigniories, where ſuch offenders be abiding, and them ſhall withhold, till that they be reſtored to their goods ſo taken, with their damages coſts and expences, which ſtatute is not ſufficient remedy, forasmuch as the ſaid offenders be dwelling ſometime in one ſeignory and ſometime in another, and have no place certain to tarry, and alſo they take to the moſt number of people of the ſaid counties coming into *Wales* and into the marches of *Wales*, and out of the ſaid counties and them withhold, till gree be to them made at their will, and alſo oftentimes the parties grieved durſt not make execution of the ſaid ſtatute for doubt of death and many other miſchiefs and inconveniencies, which thereof ſhould enſue, ſo that the ſaid offenders be the more bold to take, drive, bring, and carry away the people of the ſaid counties their horſes, beaſts, goods, and chattels of the ſaid counties into *Wales*, and into the marches of *Wales*, whither they fled before the ſaid ſtatute, to the perpetual deſtruction and impoveriſhment of the ſaid commons, except that ſpeedy remedy thereof be made. Our ſaid ſovereign lord, willing againſt ſuch miſchiefs and inconveniencies to provide a remedy in this behalf, hath ordained by the authority aforeſaid, That if any people of the ſaid counties in *Wales*, or in the marches of *Wales*, do drive, bring, carry away, or withhold, ſuch takings and withholdings, their abetments and receipts in *Wales* (they having knowledge of ſuch offences aforeſaid) ſhall be adjudged high treaſon. And he that is thereof attainted, it ſhall be done of him as of a traitor to our ſaid ſovereign lord the King. And that the juſtices of peace in their ſeſſions in the ſaid counties ſhall have power to inquire, hear, and determine of all ſuch offenders their abettors and receivers, and to make proceſs againſt ſuch perſons indicted by two *Capias* and one *Exigent*, every *Capias* containing the ſpace

Treaſon.

Juſtice of
peace.

of two months at the least, betwixt the date of every *Copias* and the day of the return of the same. And that mention be made in the said writs of *Copias* that the sheriffs of the said counties for the time being shall do to be proclaimed in their counties, that all such persons indicted shall appear before the said justices in their sessions, to answer of the matters contained in the said indictments. Provided always, That the seigniories marchers, of whom such offenders their abettors and receivers hold lands and tenements, shall have the forfeit of them, and the lords marchers, the forfeitures of their goods and chattels found within their seigniories, after that they shall be attained of the offences aforesaid. And that this ordinance shall endure till the end of six years.

CAP. IV.

What duties they shall pay to the King which carry wools to any other place than to the staples.

Wools.
Woolfels, &c.
Staple.

ITEM, our said sovereign lord the King hath granted and ordained, by the authority aforesaid, That every merchant denizen for wools, woolfels, and tin, which shall be charged and shipped in any gally, carack, or other vessel, to be brought and carried by the sea by the King's licence or otherwise, to other places and ports than to the staple of the King, shall pay to the King such customs and subsidies and other devoirs, as merchants aliens pay to the King for such merchandises. Provided always, That this grant or ordinance shall not extend to any persons, which have licence by the King's letters patents to them made before this time, to ship, carry, or bring any wools, woolfels, or tin to other places or ports beyond the sea, than to the staple of Calais, but that they shall be of this ordinance clearly discharged and excepted.

CAP. V.

No customer, &c. shall have a ship of his own, use merchandise, keep a wharf or inn, or be a factor.

21 H. 4. C. 2.
The cause
why a com-
mon hostler
shall not be a
customer,
controller, or
searcher.

ITEM, Whereas in the parliament holden at Westminster the eleventh year of the reign of King Henry the Fourth, it was ordained and stablished, That no man that had a common hostry in any city or borough of this realm, shall be customer, controul-ler, nor searcher, and that to eschew the damages and prejudices which thereof may grow, by the favour that such common hostlers may and will make to merchants, and to other their guests in their offices: (2) And now
of

ITEM come al parlement tenuz a Westm' lan de regne du Roi Henri le quart xj. ordine fuist & establie qe null home qi tient commune hostrerie en aucun citee ou burgh dicest roialme soient customer controul-lour ne sercheour & ceo pur eschuer les damages & prejudices qi dent purront acrescier par le favour qe tielx communes hostelers purroient & veudroient faier as marchauntz & as autres lour hostes en lour offices. Et jatarde divers customers

tumers countrollers & auxi ſer-
cheours countrollours & ſurvei-
ours des ſercheours ount di-
vers hommes pur eſtre leur
clerkes deputes & miniſtres
en leur ditz offices des queux
clerkes deputes & miniſtres a-
cuns ount niefs de leurs pro-
pres & aſcuns eux intromittent
del frette des niefs auxint a-
chant & vendout diverſes mer-
chaundises & ount & occupi-
ount a leur propre oeps diverſe
wherwes & keyes eſteantz par
les ripes del ewe lou commune
diſcharge des merchaundise eſt
eue en diverſe portz diceſt
roialme par qe ſibien grande
deceit & damage journement
acrefcent au Roy de ſez cuſ-
tume & ſubſidees come graun-
de perde as marchauntz re-
pairauntz a les portz ou les
ditz clerks deputees & mini-
ſtres occupient les ditez offices
des queux clerks deputees et
miniſtres auxi pluſours tei-
gnent hoſtries & tavernes &
auxi gardent wharves & eux
& leur ſervitours ſount factours
& attournes pur merchauntz
deinſins & aliens par qe gran-
des damages & perdes journe-
ment acrefcent au Roy en
ſez cuſtume & ſubſidies par le
favour qe tielx clerkes deputes
& miniſtres tiels hoſtries ta-
verns & wharves teygnauntz
facient as marchauntz & as
autres leurs hoſtes en les ditz
offices & pluſ greindre da-
mages eſt ſemblable dent ac-
creſcier en temps avenir ſi
baſtif remedie ne ſoiet purveu.
Noſtre dit ſeigneur le Roy voil-
lant encountre tielx damages
& perdes purvoier de remedie
en ceſt partie ad ordeigne &
eſtable par lauctorite ſuiſdit
qe null cuſtumer ne controller
de la cuſtume clerks deputes

ou

of late divers cuſtomers, control-
lers, and alſo ſearchers, controllers,
and ſurveyors of ſearchers, have
divers perſons to be their clerks,
deputies, and miniſters in their
ſaid offices, of which clerks, de-
puties, and miniſters ſome have
ſhips of their own, and ſome of
them meddle with the freighting
of ſhips, and alſo buy and ſell divers
merchandises, and thereof occupy
to their own uſe divers wharfs
and keys, being by the water's
ſides, where common diſcharge of
divers merchandises is had in
divers ports of this realm, by the
which as well great deceit and
damages daily do grow to the King
of his cuſtoms and ſubſidies, as a
great loſs to merchants repair-
ing to the ports where the ſaid
clerks, deputies, and miniſters be;
(3) alſo many hold hoſtries and
taverns, and alſo keep wharfs,
and they and their ſervants be
factors and attorneys for mer-
chants, denizens, and aliens, by
which great damage and loſs daily
doth grow to the King in his
cuſtoms and ſubſidies, by favour
that ſuch clerks, deputies, and
miniſters holding ſuch hoſtries,
taverns, and wharfs, do to mer-
chants and to other their gueſts
in the ſaid offices, and greater
damage is like thereof to grow in
time to come, if ſpeedy remedy be
not provided: (4) Our ſaid lord
the King, willing againſt ſuch
damages and loſſes to provide
a remedy in this behalf, hath
ordained and eſtabliſhed by au-
thority aforeſaid, That no cu-
ſtomer, controller of the cu-
ſtom, clerks, deputies, mini-
ſters, nor their ſervants, fac-
tors nor ſearchers, controllers
or ſurveyors of ſearches, nor
their clerks, deputies, mini-
ſters, or factors ſhall have any
ſhips of their own, (5) or ſhall

No cuſtomer,
controller, &c.
ſhall have any
ſhip of his own,
uſe merchan-
diſe, keep a
wharf, an inn,
or be a factor
buy to another.

buy or sell by way or by colour of merchandise, (6) nor they shall not meddle with freighting of ships, or have or occupy any such wharfs or keys, (7) or shall hold any hostries or taverns, (8) or shall be any factors, or attornies for any merchant, denizen, or alien, (9) nor shall be hosts to any merchant alien (10) upon the pain of xl li. to be forfeit as often as they do the contrary, that is to say, one half to the King, and the other half to him that will sue in this case against any such person doing the contrary. This ordinance to begin at the feast of Saint Michael next coming.

ou ministres ne lour servauntz ou factours ne sercheours countrollours ou surveiors des serches ne leurs clerkes deputes ministres ou factours eient aucuns niefs de leur propres ou achatent ou vendent par voie ou par colour de merchandise ne eux entremittent de frett de niefs ou eient ou occupient aucuns tielx wherwes ou keyes ou teignent aucuns hostries ou tavernes ou soient aucuns factours ou attournes pur aucun marchant denizen ou alien ne soient hostes a aucun marchant alien sur le peine de xl li. desfre forfait si souvent coment ils fount la contrarie cestassavoir l'une moite au Roy & a celui qe voet suer en

cest cas envers aucun tiel persone faisant le contrarie lautre moite. Cest ordinaunce a commencer a le fest de Saint Michell prochain avenir.

C A P. VI.

A confirmation for ten years of the statute of 15 HEN. VI. cap. 2. touching the transportation of corn being of certain prices.

Ex edit. Rast.
Corn licence.

ITEM, whereas at the parliament holden at *Westminster*, the xv. year of the reign of our said sovereign lord the King that now is, for the common profit of all the realm, and especially for the counties adjoining to the sea, it was ordained and stablished in the form which followeth. Item, forasmuch as by the King it is ordained, That no man may carry or bring corn out of the realm, without the King's licence, by cause whereof farmers and other men, which use manuring of their land, may not sell their corn but at a low price, to the great damage of the realm. Our said sovereign lord the King, willing in this case to provide a remedy, hath ordained and stablished by authority aforesaid, That it shall be lawful to every man to ship and carry all manner of corn and grain out of this realm, to any place that him pleaseth, except all only to the King's enemies, as often and as long as a quarter of wheat doth not exceed the price of vj. s. viij. d. and a quarter of barley three shillings, in the port where the wheat or barley is so shipped. And that without suing any licence for the same, all manner of ordinance made to the contrary notwithstanding. Provided always, That the King be contented of his customs and devoirs. And this ordinance shall endure till the next parliament. Our said sovereign lord the King, forasmuch as this statute is not now in his force, and that many counties adjoining

adjoining to the ſea, may not ſell the ſubſtance of their corn, but by carriage and bringing by the ſea, hath ordained by the authority aforeſaid, That the ſtatute and ordinance aforeſaid now expired (as afore is ſaid) ſhall begin to hold his force at the feaſt of the Nativity of our Lady next enſuing, and ſhall endure from thence till the parliament next to be holden after the ſame feaſt, ſo that a parliament be holden within ten years next enſuing after the firſt beginning of this preſent parliament. And if ſo be that there be no parliament holden within the ſame ten years, that then it ſhall continue and endure till the end of the ſame ten years.

CAP. VII.

If any carry merchandiſes into Wales, and after bring them into England not cuſtomed, he ſhall forfeit them.

ITEM, it is granted and ordained by the authority aforeſaid, Merchandises. That if any hereafter bring any merchandiſes coming from any parts beyond the ſea, to any port or place within the land of *Wales*, and after ſend them into *England*, and there diſcharge them out of any ſhip or veſſel the cuſtoms and ſubſidies thereof to the King not paid, or if any perſon in any of the ſaid ports and places in *Wales*, ſhip any wools, woolfels, or other mer- Custom, chandiſe of the ſtaple, to be brought to the parts beyond the wools, wool- ſea, not cuſtomed, nor the ſubſidy to the King not payed, ſhall fels, &c. forfeit the ſame goods and merchandiſes. And that the King ſhall have his ſuit in this behalf in the county next adjoining in *England* to the port, in the which ſuch merchandiſes ſhall be ſhipped or brought into *Wales*, and that this ordinance ſhall endure till the next parliament.

CAP. VIII.

In what caſe the King's purveyors that would take cattle, may be reſiſted.

ITEM, it is ordained by the authority aforeſaid, That the The King's ſtatutes before this time made of purveyors and buyers, purveyors ſhall be holden and kept, and put in due execution. (1) And who will take in caſe that any purveyor, buyer, or taker, will take and make cattle to the purveyance, or buy any thing to the value of forty ſhillings or value of xl. s. under of any perſon, and make not ready payment in hand, or under, and that then it ſhall be lawful to every of the King's liege people to not make pre- retain their goods and chattels, and to reſiſt ſuch purveyors and ſent payment, buyers, and in no wiſe ſuffer them to make any ſuch purveyances, may be re- buyings, or takings. (3) And for the peace better to be kept, ſiſted. if at every conſtable, tythingman, or chief pledge of every town or hamlet, where ſuch takings or purveyances ſhall be made, ſhall be aiding or aſſiſting to the owner or ſeller of ſuch things to be taken againſt the form of this ordinance, to make reſiſtance in the form aforeſaid, in caſe that ſuch conſtables, tythingmen, or chief pledges be required that to do, upon pain to yield to the party ſo grieved, the value of the things ſo taken, with

with his double damages. (4) And that none of the King's liege people be put to loſs or damage, by the King or any officer for ſuch reſiſtance. (5) And that none of the King's officers ſhall do to be arreſted, vexed, or impleaded in the court of the *Marſhalſea* or elſewhere, any of the King's liege people for ſuch withholding or not ſuffering to be done, upon pain to loſe twenty pounds, the one moiety of that to the King, and the other moiety to him, which will in ſuch caſe ſue. (6) And that the juſtices of peace in every county ſhall have power by authority of this ordinance, to inquire, hear and determine, as well at the ſuit of the King, as of him which will ſue, of any thing done againſt this ordinance, and thereof to make due puniſhment and execution, and to award damages to the party plaintiff, when any defendant is thereof duly convicted. (7) And that in every action to be taken, upon this ordinance, every party defendant ſhall be put to answer to that without aid of the King. (8) And in ſuch actions to be taken, proceſs ſhall be made as in a writ of treſpaſs done againſt the peace, and that in every commiſſion of purveyors, buyers, or takers to be made, this ordinance ſhall be contained and expreſſed. (9) And moreover, that this ordinance among other ſtatutes of purveyors, buyers, or takers before this time made, ſhall be ſent to the ſheriffs of every county of *England*, to proclaim and deliver the ſaid ſtatutes and ordinances in the manner and form contained in the ſtatute of purveyors and buyers, made the firſt year of the reign of our ſaid ſovereign lord the King that now is, upon the pain contained in the ſame ſtatute. (10) And moreover the King will and commandeth, That the ſtatute made the ſix and thirtieth year of King *Edward*, late King of *England*, the third after the conqueſt, touching purveyors of other perſons than of the King, ſhould be put in due execution.

C A P. IX.

The order of trial of counteſſes, &c. being indicted of treason, &c.

Magna charta
cap. 29.

ITEM, Whereas it is contained in the Great Charter amongſt other things, in the form which followeth: No freeman ſhould be taken or impriſoned, or diſſeiſed of his freehold, or his liberties, or free cuſtoms, or ſhall be outlawed or baniſhed, or in any wiſe deſtroyed, nor we will go upon him, nor ſend upon him, but by the lawful judgment of his peers, or by the law of the land; (2) in which ſtatute, is no mention made how women, ladies of great eſtate, in reſpect to their huſbands, peers of the land, married or ſole, ſhall be ſay, ducheffes, counteſſes, or baroneſſes,

ITEM come continue ſoit en la Graunde Chartre entre autres en la fourme qenſuyt: 'Nullus liber homo capiatur aut impriſonetur aut diſſeiſatur de libero tenemento ſuo aut libertatibus aut liberis conſuetudinibus ſuis aut utlagetur aut exulet aut aliquo modo deſtruatur nec ſuper eum mittemus nec ſuper eum ibimus niſi per legale iudicium parium ſuorum vel per legem terre.' En quele eſtatuſt neſt my mention fait coment femmes dames de graunde eſtate par cauſe de lour barons peres de

de la terre covertez ou soulez
cestassaver duchesses countesses
ou baronessez ferront mys a
responder ou devaunt queux
juges els ferront jugez sur en-
ditementz de trefons ou felo-
nies par eux feitz a cause de
quell il est une ambiguite &
doute en la ley devaunt queux
& par queux tielx dames issint
enditez ferront mysez a res-
pondre & estre adjudgez. Nos-
tre dit seigneur le Roy voillant
oustier tielx ambiguitees &
doutes ad declare par lauctorite
desuisdit qe tielx dames issint
enditez ou en apres a edditerz
de ascun trefon ou felonie par
eux faitz ou en apres affairez
comment qe eles soient covertez
de baron ou soules qe eles ent
soient mefnez en responce &
mys a respondre & adjudgez
devaunt tielx juges & peres
de le roialme sicome autres
peres de le roialme serroient
fils fuissent enditez ou empes-
chez de tielx trefons ou felo-
nies faitz ou en apres affairez
& en autiel maner & fourme
& en null autre.

*baronesses, shall be put to answer, or
before what judges that they shall
be judged upon indictments of trea-
sons, or felonies by them commit-
ted or done, in regard whereof it
is a doubt in the law of England,
before whom, and by whom such
ladies so indicted shall be put to
answer, and be judged; (3) our*
said lord the King willing
to put out such ambiguities
and doubts, hath declared by
authority aforesaid, That la-
dies so indicted, or hereaf-
ter to be indicted, of any trea-
son or felony by them done, or
hereafter to be done, whether
they be married or sole, that
they thereof shall be brought to
answer, and put to answer, and
judged before such judges and
peers of the realm, as peers of the
realm should be, if they were in-
dicted or impeached of such trea-
sons or felonies done, or here-
after to be done, and in like man-
ner and form, and none other-
wise.

The order
of trial of
duchesses,
countesses,
or baronesses,
being indict-
ed of treason
or felony.

C A P. X.

*Four wardens of the worsted weavers of Norwich appointed
yearly to inspect and regulate the worsted in that city, and
two in Norfolk. The length and breadth of all sorts of
worsted made in Norwich and Norfolk assigned.*

ITEM, whereas as well in the city of *Norwich* as in the
county of *Norfolk* there be divers persons which make false
cloths of all manner of worsteds not being of the assises in length
and breadth as they ought to be and were of old time accus-
tomed, and the flays and threads pertaining to the same be not
rightfully made and wrought in great deceit as well of de-
nizens of the King as of the strangers repairing into this realm
of *England*, which buy and use such merchandise, trusting that

Ex edit. Rast.
Worsted.

shall be within as it sheweth without, where, of truth it
contrary: And whereas worsted was sometime a good mer-
chandise and greatly desired and loved in the parts beyond the
a, now because that it is of false work and of false stuff, no man
ereof taketh regard, which is great damage to the King's cus-
oms, to the great damage and prejudice of the King's faithful
people; Our said sovereign lord the King, willing against such
damage

Norwich.¹23 H. 6. c. 3.
7 Ed. 4. c. 2.

damage and prejudice to provide a remedy in this behalf, hath ordained by the authority aforesaid, That men of the craft of worsted-weavers within the said city, shall have power every year at the feast of pentecost to choose iiiii. wardens within the said city, of the same craft, and the same wardens to have power to choose other ii. men of the same craft in the said county of the said city, and all the same wardens to come before the mayor of the said city for the time being, the Monday after the day of *Corpus Christi* then ensuing, and there to be sworn before the mayor, to do right and make due search of all manner of worsteds, and of the stuff belonging to the same, made or to be made within the said city or county. And that every piece of worsted shall be pursuing through the cloth of right work good and convenable stuff, and that they shall hold the length and breadth as the assise hath of old time been rightfully accustomed, that is to say, the beds of the greatest assise in length xiiii. yards largely, and in breadth four yards through the piece, and beds of the mean assise xii. yards in length and three yards in breadth through the piece, and beds of the least assise x. yards in length largely, and two yards and a half in breadth, and cloths called monks cloths, xii. yards in length at the least, and five quarters in breadth, and cloths called canon cloths, five yards in length and vii. quarters in breadth, and cloths called cloths, vi. yards in length and two yards in the breadth, and double worsted x. yards in length, and five quarters in breadth largely, and half doubles, vi. yards in length, and five quarters in breadth, and roll worsted, xxx. yards in length, and half a yard in breadth largely. And that no lambs wool, nor wool called pelt wool shall be put in any of these worsteds. And that the wardens of the said craft for the time being, shall have power and authority to seise all such cloths and stuff so found defective; And that the mayor of the said city for the time being, shall have power by the said authority to enquire, hear, and determine as well at the King's suit as at the information of the said wardens, of all them which do contrary to this ordinance within the said city. And in like form the justices of peace in the said county out of the said city, shall have power to enquire, hear, and determine, of all them which do against the premises in the said county out of the said city. And if any man before the mayor or justice of the peace be thereof duly convicted and attainted, that then the same worsteds and stuffs so found defective, shall be forfeit that is to say, the one half of such forfeiture to the King, and the other half to the wardens for the time being of the said craft. And that the mayor for the time being of the said city, and the justices of peace for the said county, shall have power to make such process severally against such person or persons, which shall be found to be defective by enquiry before them to be taken, of any thing done against the premises, as the King's justices of peace do upon indictments taken before them of trespass done with force and arms against the King's peace.

And

And that this ordinance shall begin to take effect at the feast of Saint *Michael* next coming. And that it shall endure till the end of three years next ensuing after the same feast of Saint *Michael*.

C A P. XI.

A repeal of so much of the statute of 2 HEN. V. stat. 1. cap. 6. as maketh the breaking of truce and safe conducts bigg treason.

I T E M, where it was ordained and declared by the statute *Truce*. made the second year of the reign of King *Henry V.* father to our sovereign lord the King that now is, forasmuch as before the said ordinance divers people comprised within the said truces, made as well by the said late King as by King *Henry* the Fourth, grandfather to our sovereign lord that now is, and divers other having safe conducts as well of the said late King *Safe conducts.* *Henry* the V. as of the said late King *Henry* the Fourth, some have been slain, some robbed and despoiled by the King's liege people and subjects, as well upon the main sea as within the ports and coasts of the sea of *England*, of *Ireland* and of *Wales*, whereby the said truces and safe conducts have been broken and offended, to the great dishonour and slander of the King, and against his dignity, and the said man-killers, robbers, spoilers, and offenders of the said truces and the King's safe conducts, as afore is declared, have been by divers of the King's liege people and subjects within the coasts of divers counties received, abetted, and procured, concealed, hired, sustained, and maintained, that such manslaughters, robbery, spoiling, breaking of truces, and of the King's safe conducts, and wilful receipt, abettment, procurement, concealment, hire, sustenance, and maintenance of such persons to be made in time to come by any of the King's liege people and subjects within the realm of *England*, of *Ireland*, and of *Wales*, or upon the main sea, shall be judged and determined for high treason, done against the crown and the King's dignity. And forasmuch as the pains contained and specified in the statute aforesaid, be so rigorous against the King's liege people and subjects, and them so straitly bind that the adversaries and enemies of the King be greatly boldened and comforted to make war against them, and many of the King's liege people and subjects as well upon the sea and coasts of the sea, as in the marches of the realm of *England*, oftentimes have been, some robbed and spoiled, and some slain, whereby many of the King's liege people inhabiting in the marches and coasts aforesaid, be greatly hindered and impoverished, and in point to be finally destroyed, and the merchants and mariners of the King be greatly thereby discouraged as abashed to pass upon the sea with their ships and vessels, with their merchandises, or otherwise to make war for the safeguard of the sea, and the navy of the realm of our said sovereign lord the King in point to be destroyed, and the merchants of the King clearly discomfited to make or renew any ships

or vessels. At the parliament holden at *Westminster*, the tenth day of *October*, the xiiii. year of the reign of our said sovereign lord the King that now is, the penalty, judgment, and determination in the same statute contained was put in suspence and respite by vij. years then next ensuing, as by the statute thereof made in the same parliament plainly appeareth: The same our sovereign lord the King that now is, considering the premises, and that the said time of seven years is well nigh past, ordaineth by authority aforesaid that none of his liege people and subjects, by force of the said statute, for nothing by him attempted or hereafter to be done against the form and tenor of the said statute, as to the said pain of treason, shall be in any wise punished, molested, nor grieved, nor shall incur no pain for the same otherwise than he ought before the making of the said statute, but that he, his heirs, and executors of all pains and forfeitures of treason, because of the said statute, against the King, his heirs, and successors, shall be clearly quit and discharged. And that this ordinance shall endure till the next parliament.

C A P. XIII.

A reformation of the partition money arising by the sale of wools and woolfels by the mayor and constable of Calais, ordered for seven years.

Ex edit. Rast.
Partition of
wools, wool-
fels, &c.

Staple.
Calais.

ITEM, whereas by the ordinance of partition made upon wools and woolfels in the staple of *Calais*, and by the long and straight continuance of the same, great hinderance and decrease have come to the King of great notable sums of his great customs and subsidies, as well in his realm of *England*, as at his town of *Calais*, as appeareth sufficiently of record in his exchequer, for the which the commons of this realm have been oftentimes charged to their great damage, the King's soldiers of *Calais*, and of the marches there, the worse paid of their wages, the said town and castle of *Calais* not repaired, and that also the said straight rule hath caused many merchants strangers to labour to their lords of their party to make as grievous and straight search upon bullion coming to the King's mint to *Calais*, so that men of divers countries in conveyance of bullion have been greatly hindered, as well in their persons as in their goods, so that the said mint is fallen in great decay, and may not be sustained as it was in the time of the reign of King *Henry* the Fifth, father to our said sovereign lord the King that now is, and many years before that the said partition was first ordained and made. And that moreover that merchants of this realm be by that greatly hindered, and the most part of them of very necessity be enforced to leave their merchandises of wools and woolfels, because that they may not attend the straight rule of the said partition. And whereby some do steal out of this realm wools and woolfels without payment of any custom or subsidy, to our sovereign lord the King for the same, which hath been and is daily a great decrease and hinderance to the navy of this realm of *England*, and to the
the

the maſters of ſhips and mariners, becauſe that their living and yearly avail is greatly decreaſed and miniſhed by the little ſhipping of wools and woolfels of the ſaid ſtaple, for the cauſes aforeſaid, and that the price and value of the wools and woolfels by the ſaid freight rules and ordinances of partition is very greatly decreaſed and miniſhed. And whereas upon the ſame it was prayed to the ſame our ſovereign lord the King that now is, by his ſaid commons by their petition to him made, that it would pleaſe him of his noble grace to conſider the premiſſes, and for the univerſal weal, avail, and increaſe of riches of this realm, to grant and ordain by the authority aforeſaid, That all wools and woolfels, which hereafter ſhall be ſhipped by merchants denizens of this realm of *England* to the ſtaple of *Calais*, ſhall be put to ſale by the owners of the ſame wools and woolfels, or by their attornies there under due form and rule of the ſaid ſtaple, to the price and value of the ſaid wool and woolfels, as it is by the ordinance of the ſaid ſtaple at this time put and uſed, or at ſuch price as by the rule of the ſaid ſtaple ſhall be ordained and appointed, as often and when it ſhall pleaſe the ſame merchants or their attornies. So that the third part of the price and value for all ſuch wools and woolfels, to be ſold hereafter to the ſaid ſtaple, at the time of the ſale and before the delivery of them, ſhall be brought from the ſaid ſtaple and had in bullion of ſilver to the King's mint at *Calais*, there to be coined by the ſurveying of the mayor, conſtables, and company of the ſaid ſtaple for the time being, to be delivered after that it is ſo coined to the ſaid merchants owners of the ſaid wools and woolfels ſo ſold, and by them or their attornies to be brought and had in the ſaid realm of *England* by the ordinance and ſurveying of the ſaid mayor and conſtables and company of the ſaid ſtaple for the time being, without embezzeling or ſubtraction of that in any wiſe, and without any partition of the money which ſhall come of the ſaid bullion, or of any payment of theſe other parties of the value of the ſaid wools and woolfels to be had or made. And that this ordinance ſhall endure till the end of ſeven years next enſuing: The ſame our ſovereign lord conſidering the premiſſes hath granted and ordained, by the authority aforeſaid, That as to the partition aforeſaid, the mayor and conſtables and company of the ſaid ſtaple of *Calais* ſhall reform the ſame among themſelves according to the ſaid petition, before the firſt day of *Auguſt* next coming. And that it ſhall be ſo obſerved hereafter during the ſaid vii. years. And if that they do not then the ſame, our ſovereign lord the King hath granted and ordained by the authority aforeſaid, That as to the petition and to the remanent in the ſame petition contained, it ſhall be done as is deſired.

Statutes made at *Westminster*, Anno 23 HEN. VI.
and Anno Dom. 1444.

AT the parliament holden at Westminster the twenty fifth day of February, the twenty third year of the reign, of King Henry the Sixth after the conquest, the same our lord the King, by the advice and assent of the lords spiritual and temporal, and the commons being in the said parliament, by the authority of the same parliament, made to be ordained, and stablished divers ordinances and statutes in the manner and form following.

EN parlement tenuz a Westminster le xxv jour de Fevrier lan du reigne nostre seigneur le Roi Henry le vi apres le conquest xiiii. moine nostre seigneur le Roi del adroyet assent de les seignurs espirituels et temporels et les communes esteantz en le dit parlement et par auctorite de mesme le parlement, fist ordeigner & establier diverses ordeignances & estatutz en le maner et fourme que ensuist.

CAP. I.

A confirmation of the statute of 36 EDW. III. c. 2. and other statutes touching the King's purveyors.

The name of Purveyors turned into Buyers.

Ex edit. Pult.
36 Ed. 3. c. 2.

No purveyance but for the King.
Ready payment shall be made.

The name of purveyors changed, and they named buyers.

By whom goods purveyed shall be praised.

Prices shall be made where there is plenty.
No more shall be taken than is needful for the time.

A taker shall have no deputy.

The seal of the commission.

Resistance of the purveyors: if they make not ready pay-

FIRST, Whereas in the parliament holden the xxxvj. year of King Edward the Third, for the grievous complaints made against purveyors of victuals, it was ordained and established, That no man of the realm should have any takings but only the King and the Queen his companion: (2) and that upon such purveyance to be made for the houses of the King and the Queen, ready payment should be made in hand, that is to say, the price for which such victuals should be commonly in markets near about; (3) and that the heinous name of purveyors should be changed, and named buyers: (4) And if the buyers cannot well agree with the seller, for that which shall be needful, then the prices that shall be made for the said two houses, shall be made by the view, witnessing, and appraisement of the lords, or their bailiffs and constables, and four good men of every town, and that by indenture to be made betwixt the buyers and the said lords or bailiffs, constables, or four men, containing the quantity of the thing by them taken, and the price, and of what persons: (5) and that the prices shall be made in a convenient and easy manner, without dures, menace, rebuke, or otherwise: (6) and that the prices and buyings shall be made in places where there is greatest plenty, and that in convenient time: (7) and that there be no more taken than shall need for the season for the said two houses: (8) and that the number of the said buyers shall be abated, in as much as a man may well: (9) and that such be buyers which shall be sufficient to answer to the King and to his people, and that none of them shall have a deputy: (10) and that

the commissions shall be sealed with the great seal, and every half year returned into the chancery, and other to be made of now: (11) and that in the said commissions shall be comprised all the manner and matter of their prises and buyings, (12) and that no man shall be bound to obey the buyers of other lords against their will, nor to the buyers of the said houses, if they make not ready payment in hand, as afore is said: (13) and that no man shall be charged for a contempt because of disobedience done in this behalf: (14) and that the prises of all manner of corn and malt for the said two houses, shall be measured by the measure according to the standard stricken and not heaped: (15) and for the carriage of the corn and malt, and for all other manner of prises and buyings to be made for these two houses, ready payment shall be made in hand in the same manner as for the prises and buyings aforesaid: (16) and that no more carriage be taken than shall be needful in this behalf: (17) and if any buyer make any prises and buyings, or be taker of carriage in any other manner than is comprised in their commissions, they shall have punishment of life and of member, as is ordained of purveyors.

ment, or take for others saving the King, &c.

The corn taken shall be measured by the strikel.

4 Ed. 3. c. 3.

25 Ed. 3. ft. 5.

c. 1.

11 R. 2. c. 4.

20 H. 6. c. 8.

Ready pay-

ment for car-

riage.

Felony to take

otherwise.

C A P. II.

In what case the King's purveyors, who are by the last precedent chapter to be termed buyers, may be resisted.

TEM, That no buyer of victual, or taker of carriage, shall take or receive of any man any gift or other pleasure, to show any favour, or shall charge or grieve any man in respect of such takings, buyings and carriages, for hatred, envy, evil will, or procurement: (2) and if he do, and thereof be attainted at the suit of the party, he shall yield to the party his double damages, and shall have imprisonment of two years, and shall be ransomed at the King's will, and after shall forswear the court: (3) and if the party will not sue, he that will sue for the King, shall have the third peny of that which shall be recovered for his labour, and nevertheless the buyer and taker shall have the punishment as afore is said in the same article: (4) and that every buyer upon his account shall cause to be declared, and severally distinguished the takings and buyings of every county, town or person: (5) our said lord the King that now is, considering the premises, hath ordained and commanded by authority of this said parliament, That the said statutes from henceforth shall be duly kept and put in execution, (6) and also hath ordained by the same authority, That every purveyor and buyer before they shall have any commission, shall be sworn in the chancery, that he shall take nothing of the people contrary to the said ordinances.

No purveyor shall take or forbear for favour or malice. A taker shall make a particular account of each thing taken.

A rehearsal and confirmation of the statutes of 36 Ed. 3. c. 2.

The takers oath.

II. And moreover, because the poor people be not able, nor dare make resistance against the purveyors and buyers, nor sue them by the law, though that they do contrary to the said statutes, it is ordained by the same authority, That the praifers,

Resistance of the takers.

Two several remedies for the party wronged by the takers. The remedy if the King's officer do trouble him which seeketh lawful revenge.

The serjeant of the catery shall answer for some takers his inferior officers.

and also all the town or towns adjoining, if need be, shall be bound to do their endeavour and power to resist the buyers and purveyors doing contrary to the said statutes, and as much as in them is, to execute the said statutes upon the same purveyors, if they be required; (2) and that he which is grieved for his goods taken contrary to the said statutes and ordinances, may choose to have an action of debt against the said praisers, town or towns, and every of them, which do not their industry in resistance of the said purveyors or buyers in the form aforesaid, when they shall be required, or else against the said purveyors or buyers, and every of them, to recover the treble value of his goods so taken, and moreover his costs and his treble damages. (3) And if any purveyor or other the King's officer do trouble or vex any of the King's liege people in the marshalsea or elsewhere, by any evil suggestion or cause feigned, imagined, or coloured upon them in respect of execution of the said ordinances, he shall incur the pain of xxl. to be paid to the party grieved, over his damages and costs in this behalf sustained: (4) and that he thereupon shall have a writ of debt; (5) and that every issue triable in their action, shall be tried in the county where the taking of the said goods was made, and that the defendants in all the said cases shall not be admitted to wage their law, and shall be put to answer without fourching, and no effoin, aid of the King, nor protection shall be to them allowed: (6) and that the serjeant of the catery shall satisfy all the damages, debts and executions which should be recovered against every purveyor and buyer under him in all the cases aforesaid, if the purveyor or buyer be not sufficient to satisfy: (7) and the party complainant shall have a *Scire facias* to have execution against the said serjeants in that case: (8) and that these statutes and ordinances shall be sent to the justices of the peace in every county to proclaim them every year, and thereof to inform the people.

C A P. III.

Whoever shall pack or ship thrums or threads to pass beyond the seas, during three years next coming, shall forfeit the same, or the value.

Ex edit. Rast.

ITEM, our said sovereign lord the King hath ordained by the authority aforesaid: That no man hereafter shall pack nor ship any thrums nor woollen threads in any wise, to be had or to pass out of this realm of *England* beyond the sea, during the term of three years next ensuing, upon pain of forfeiture of the same thrums and woollen thread, or the very value of the same to the King: the King to have the one half thereof, and he which shall the same espy, find, and prove the same to be forfeit, to have the other half. And that he that packeth to ship beyond the sea, any such thrums or woollen thread hereafter, contrary to this ordinance, shall have one year's imprisonment, and moreover shall make fine and ransom for his offence in this behalf, saving always to the King his advantage by the statute made in the parliament holden at *Westminster* the viii. year of his noble reign touching this matter.

CAP. IV.

Four wardens of worsted weavers shall be chosen yearly during three years next coming, within the city of Norwich, and other four within the county of Norfolk, which shall set down orders for the true making of worsteds within Norwich and Norfolk, and Suffolk.

ITEM, whereas in the last parliament of the King holden at *Westminster*, among other things it was enacted and granted by authority of the same parliament, That where there were divers persons as well within the city of *Norwich* as in the county of *Norfolk*, which made false work of all manner of worsteds, not being of the assise in length and breadth as they ought to be, and were of old time accustomed, and the slaies and thread to that pertaining were falsly made and wrought, to the great deceit as well of denizens as of strangers repairing to this realm, which use to buy such merchandises, trusting that they be within as it appeareth outwardly, where of truth it was contrary: and where worsteds were sometime good merchandises and greatly desired and loved in the parts beyond the sea, because it was of false work and of false stuff, no man doth set by the same, to the great damage of the King's custom, and great damage and prejudice to his faithful people, it was also ordained to the destruction of such defaults, That the men of the said craft within the said city should have power every year at the feast of *Pentecost*, to choose four wardens within the said city of the same craft. And the same wardens to have power to choose other two men in the county out of the said city, and all the said wardens to come before the mayor of the said city for the time being, the monday after the day of *Corpus Christi* then next ensuing, and there to be sworn before the mayor, to make true and due search of all manner of worsteds, and of the stuff pertaining to the same, made or to be made within the said city or county, and that every piece of worsted shall be pursuing through all the cloth of right work good and convenable stuff, and that they shall hold the length and breadth as the assise hath been of old time accustomed, that is to say, beds of the greatest assise in length xiiii. yards largely, and in breadth iii. yards largely through the piece, and beds of the mean assise xii. yards in length, and in breadth through the piece iii yards, and beds of the least assise x yards in length largely, and two yards and a half in breadth. And cloths called the monks cloths xii yards in length at the least and v quarters in breadth. And cloths called canon cloths of the one assise v yards in length and vii quarters in breadth. And of the other assise vi yards in length and ii yards in breadth. And double worsted x yards in length and v quarters in breadth. And half double vi yards in length and v quarters in breadth, and roll worsted xxx yards in length and half a yard in breadth largely. And that no lambs

wool nor wool called Peltwool shall be put in any of the same worsteds. And that the wardens of the said craft for the time being shall have power and authority to seise all such cloths and stuff so found defective, and that the mayor of the said city for the time being have power to enquire, hear, and determine as well at the King's suit as at the information of the said wardens, of all them that do contrary to the said ordinance within the said city. In like form the justices of the peace in the said county out of the said city, shall have power to enquire, hear, and determine of all them that do contrary to the premisses in the said county out of the said city. And if any man before the said mayor or justice of the peace shall be duly convict and attainted, that then the same worsteds and stuff, so found defective shall be forfeit, that is to say, the one-half of such forfeiture to the King, and the other half to the wardens of the said craft for the time being. And that the mayor for the time being of the said city, and the justices of the peace in the said county, shall have power to make such process severally against such person or persons, which shall be found defective by enquiry before them to be taken of any thing done contrary to the premisses, as the justices of peace do upon indictments taken before them of trespass done with force and arms against the King's peace. And that the said ordinance shall begin to take effect at the feast of St. *Misbael* next ensuing the said parliament, to endure till the end of three years: The King considering the premisses, hath ordained by authority of his said parliament, holden the xxv day of *February*, for the weat of all his people of his said realm, and in amendment of the said worsteds, for and in destruction of all manner of deceit to be done and wrought in worsteds by them that have them by the means of the same, that the men of the said craft within the said city shall have power every year at the feast of *Pentecost* to choose four wardens within the said city of the same craft. And also in like manner that the artificers of the same craft, dwelling out of the said city, that is to say, in the county of *Norfolk*, shall have power every year at the feast of *Pentecost* to choose four wardens within the said county of the same craft. And that the wardens in the said county and city shall be sworn before the mayor of the said city, and the steward of the dutchy of *Lancaster* within the said county for the time being, if he be present within the said city, or else before the mayor alone, the said steward being absent at such time. And that all the said wardens, as well within the said city as without, or else the most part of them, under the same form before rehearsed, chosen and sworn, shall have full power to survey the work of the said artificers. And that they shall make and work well and lawfully. And do to be ordained such rules and ordinances within the said craft, as shall seem to them necessary for the amendment of the said worsteds and the craft. And that such rules and ordinances by them so made and ordained to be by the said artificers obeyed and observed, or else such of the said artificers that break or do contrary to the said rules and ordinances,

cas, to be punished by the discretion of the said mayor and steward. And also that no man of the said craft shall make any worsted, except he put upon the same his sign by the ordinance of the said wardens, or otherwise the said worsteds shall be forfeit to the King; and that the said wardens, as well within the said city, as within the counties of *Norfolk* and *Suffolk*, shall have full power to search or do to be searched all manner of worsteds, as well within the looms as without the looms. And that all manner of worsted and stuff pertaining to the same found by them for any cause recited defective by the said wardens to be forfeit, that is to say, the one half to the mayor and bailiffs of the city, boroughs, or towns or to the chief lords of the fee of and in such places where such worsteds and stuff by the said wardens shall happen to be found defective and forfeitable for any cause aforesaid, and the other half to the wardens of the said craft, and that all manner mayors, sheriffs, and bailiffs, and all other officers shall be attending, aiding, and supporting the said wardens in their searches, as often as they or any of them shall be by the said wardens or any of them required. And that this ordinance shall endure till the end of three years next ensuing. Provided always, That if the wardens of the said craft, as well within the said city of *Norwich* as without, or otherwise the greater part of them in manner and form aforesaid, happen to be chosen and sworn to make any such rules and ordinances as afore is said, that the same rules and ordinances shall be in no wise put in execution before that the King and his council be certified of them, and that the same rules and ordinances shall seem to the King and his counsel expedient and necessary for the weal of the King and of his realm.

CAP. V.

Wechtmen indicted of treason or felony, that do repair into Herefordshire, shall be apprehended and imprisoned, or else pursued by hue and cry, and a forfeiture of those which do not pursue them.

ITEM, whereas divers persons dwelling in *Wales* and in the marches of *Wales*, indicted and outlawed of treasons and felonies coming into the county of *Hereford* to cities and burghs towns, fairs and markets, and to other places within the said county, sometime by night, and there sell, buy merchandise and tarry by ii. iii. iv. days or more at their will, and after return into their own countries without grievance, impeachment, or execution of the law made upon them by the sheriff of the said county, his ministers, or by any other person, by reason that the sheriff and his ministers oftentimes have no knowledge of their persons, nor of their being within the said county, and other persons, some for favour and amity, and some for doubt of hurt, by reason of which none doing of due execution of the law, the said persons indicted, outlawed, and other offenders of *Wales*, and of the marches aforesaid, doubt not to come, slay, burn,

Wales.

27 H. 8. c. 26.

burn, rob, and to do other offences in the ſaid county, to the perpetual deſtruction and impoveriſhment of the commons of the ſaid county: our ſaid ſovereign lord the King, conſidering the premiſſes, hath granted by authority aforeſaid, That if the ſheriff, underſheriff, or any ſheriff's miniſters, mayor and bailiffs of towns and boroughs, or any other perſon converſant within the ſaid county, know and ſee any ſuch perſon indicted or outlawed in any place within the ſaid county, that he ſhall arreſt, take, and bring him to the gaol within the ſaid county, and there ſhall deliver him to the gaoler after the law of the realm. And if any ſuch perſon indicted or outlawed will diſobey the arreſt to be made in the form aforeſaid, that he againſt whom ſuch diſobeiſance is made, ſhall levy hue and cry. And that every perſon that is converſant within the ſaid county that heareth the hue and cry, ſhall come and aid him that levieth the ſaid hue and cry, to take the ſaid offender, and ſhall do their power that to do. And if they cannot take him, they ſhall follow and purſue him out of the ſaid county with hue and cry. And that the ſheriff, under-ſheriff, and their miniſters, mayor and bailiffs converſant and hearing of ſuch hue and cries, ſhall make due execution of the ſaid ordinance according to their power, upon the pain, that is to ſay, the ſaid ſheriff, under-ſheriff, and their miniſters, mayors and bailiffs, to make fine and ranſom to the King, and the ſaid perſons converſant and hearers, that is to ſay, a knight a C. s. an eſquire forty ſhillings, and all other inhabitants twenty ſhillings. And that the juſtices of peace in the ſaid county for the time being, ſhall have power to enquire, hear and determine upon the defaults and negligences of the ſaid ſheriff, under-ſheriff and miniſters, mayor and bailiffs, converſant and hearers of the ſaid hues and cries. And moreover the King will, That the ſtatute of *Weſtmiſter primer*, touching like matter, ſhall be put in due execution.

CAP. VI.

A rehearſal of the ſtatute of 15 HEN. 6. c. 2. touching licence to tranſport corn, when wheat doth not exceed vi. s. viii. d. the quarter, and barley iii. s. iv. d. and the ſame ſtatute made perpetual.

ITEM, whereas at the parliament holden at *Weſtmiſter* the xv. year of the reign of the King that now is, for the common profit of all the realm, it was ordained in the form as followeth. *Item*, whereas by the law it was ordained, That no man may carry or bring corn out of the realm of *England*, without the King's licence, by reaſon whereof farmers and other men which uſe the manuring of land, may not ſell their corn but at a low price, to the great damage of all the realm: our ſovereign lord the King, willing in this caſe to provide a remedy, hath ordained by authority aforeſaid, That it ſhall be lawful to every man to ſhip and carry all manner of corn and grain out of this

realm,

realm, to any place that pleaseth him, except only to the enemies of our sovereign lord the King, as often and as long as a quarter of wheat doth not exceed the price of vi s. and viii d. Grain. and a quarter of barley iii s. in the same port where the wheat or barley is so shipped, and that without suing any licence for the same, and all other ordinances before this time made to the contrary notwithstanding. Provided always, That the King be contented of his customs and money. And this ordinance shall endure till the next parliament. And forasmuch as this statute is not now in force, and that many counties adjoining to the sea may not sell the substance of their corn, but by carriage to be carried by the sea: our said sovereign lord the King (considering the premises) hath ordained by authority of his said parliament, holden the said five and twentieth day of *February*, Altered by that the statute and ordinance aforesaid by authority of the same 1 Jac. 1. c. 25. parliament shall be perpetual, and stand in force for ever. 21 Jac. 1. c. 22.

C A P. VII.

The gathering of head-pence by the sheriff of Northumberland shall cease.

ITEM, come lez poverez communes & foialx liegez du Roy de son counte de Northumb' ount este de long temps oppressez & furchargez per lez viscountz du dit countee pur le temps esteantz, le-vauntz & faecantz leve de lour biens & chateux a la somme de lx li'. & pluis, appelez Hedenpeniez, deux foitz en vij ans, scilicet chescune tierce an & chescune iiije an, a lour propre availle, saunz ascune accompt, profit, ou availle a Roi & saunz ascun loial avyce ou foundation, sinoun de lour graund extortion, le quele causa divers hommez de laborer & expender graundez biens destre viscount, quant lez ditz ans veignent, a le pluis greindre oppression de lez ditz communes: Nostre dit seigneur le Roy, considerant lez premissez, ad ordeigne & graunte per lauctorite suisdit, que le dit collect de lez ditz hede penyez soit tout oustrement oustez pur toutz jours, ascun use ou custume eue a le contrarie nient obstaunt

ITEM, whereas the poor commons, and the King's faithful liege people of his county of Northumberland, have been of long time oppressed and furcharged by the sheriffs of the said county for the time being, levying or causing to be levied of their goods and chattels, to the sum of forty pounds, and more, called Head-pence, two times in seven years, that is to say, every third year, and every fourth year, to their own avail, without any account, profit, or advantage to the King, and without any lawful cause or ground, but of their great extortion, which causeth divers men to labour and expend great goods to the sheriff, when the said years come, to the great oppression of the said commons; (2) our lord the King considering the premises, hath ordained and granted by the authority aforesaid, That the said gathering of the said head-pence shall be clearly put out for ever, any use or custom to the contrary notwithstanding, upon pain of an C li. to be paid, the one half of the same.

The gathering of head-pence by the sheriff of Northumberland shall cease.

to

to the King, and the other half to the party which will sue for the forfeiture against the sheriff. This ordinance to begin at the feast of the nativity of St. John Baptist, which shall be in the year of our Lord M.CCCC.xlvi.

odstant, sur paynie de C li destre paieiz, lunc moite dicelle a Roi, & l'autre moite dicelle a la partie qui suz la forfeiture envers le viscount. Cest ordeignauce a commencer a la fest de la nativite de Seint John le Baptiste que terra en lan nostre seigneur M.CCCC. xlvj.

C A P. VIII.

No man shall be sheriff, under-sheriff, &c. above a year.

24 Ed. 3. stat. 1.
c. 7.
3 Lutw. 193.

ITEM, *wherwas King Edward the Third, for divers and special causes, in this parliament holden at Westminster the Wednesday next after Midlent, the fourteenth year of his reign, for that several sheriffs in divers counties in England then being, bad their offices, some for a term of years of the King's grant, and some trusting of longer continuance in their offices, by procurement, &c. were greatly encouraged, and did take upon them to do many and divers oppressions to the King's liege people, unduly, and evil, and falsly to serve the King and his people did ordain and stablish, That no sheriff should tarry and abide in his office above a year, and that then another meet and sufficient man shall be assigned in his place by the chancellor and treasurer of England, and the chief baron of the exchequer, and other every year in the morrow of All-Souls, as it appeareth in the said statute; (2) and after the said statute so made, by another statute made at Westminster, in the parliament of the said King, holden the first day of May, the forty second year of his reign, he ordained and made, That no sheriff, or under-sheriff, nor sheriff's clerk, shall tarry and abide in his office over one year, as it is ordained by other statutes before this time, as it appeareth more plainly by the said statute*

42 Ed. 3. c. 9.

ITEM, come le Roi-E. le tierce, pur diversez & notables causez en son parlement tenuz a Westm' le mekesdy prochain apres le di. quaresme lan de son reigne xiiij pur cause que diversez viscountz en diversez counteez dEngleterre adonques esteauntez avoient leur officez, ascuns pur terme dans de graunte du Roi, & ascuns constantz en plus longue continuance en leur officez, per procurement &c. furent grandement esbaudez, & prissent sur eux, de faire plusieurs & diversez oppressions a le liege poeple du Roy meyns duement & malement & fausement servoient le Roi & son poeple; ordeigna & fist, que nulle viscount demurreroit ne expecteroit en son office oultre un an & que adonques un autre covenable & sufficient homme ferroit ordeine en son lieu per le chaunceller & tresorer dEngleterre & le chief baron del exchequer & autres chescune an en lendemayn des toutz almez; sicome il appiert en le dit estatut: & apres cell estatut issint fait, per un autre estatut fait a Westm' en le parlement du dit Roi tenuz le prim' jour May lan de son reigne xliij ordeigna & fist, que null viscount southviscount, ne clerk de viscount, demurerait ou ex-

expecteroit en ſon office ouſtre un an an ; ſicome eſt ordeigne per autres eſtatutz faitz devaunt celle temps ; ſicome il pluis pleinement appiert per le dit eſtatut del xij an. Et ouſtr' ceo per an autre eſtatut fait a Weſtm' en le xv de ſeinc Michell l'an du reigne du Roy Richard le Seconde prumer fuiſt ordeigne et fait ; que nulle homme que avoit eſtee viſcount daſcun countee pur un entier an ne ſeroit eſlieu autreſoitz, ne mys en la dit office, deinz trois ens edonques proſcheinz enſuantz ; ſinoun que ne ſoit aſcun autre ſuffiſcant deinz le dit countee ; ſicome il pluis pleinement appiert per le dit eſtatut du Roi Richard : & come en diverſez counteez d'Engleterre apres la ſeſaunce dez ditz eſtatutz pluſours diverſez viſcountes ount eſteez faitz, & ount occupiez deinz lez ditz counteez, aſcuns x. ans, & aſcuns xij. ans, & pluis, a le grand damage du Roy qoreſt, ſez progenitours, & lour poeple deinz lez ditz counteez, contrarie a lez ditz eſtatutz, & tout autre bon rule, & veraie ſemblablement en temps avenir deſtre importable damage, overt-diſheritaunce, & ſupportation domicidie & perjurie, & grand oppreſſion a pluſours du liege poeple du Roi confiderez lez grandes conſanguinite alliance les ſamulers des viſcountes, ſibien de ceux qe ount eſtee devaunt ceſt temps, come de ceux que ore ſount en lez ditz countees : noſtre dit ſeignur le Roi, conſiderant les premiſſee, ad ordeigne per lauctorite fuiſſit, que les eſtatutz devaunt recitez & cheſcun de eux ſoient duement obſervez en cheſcune countee d'Engleterre, les

ſtatute of the ſame forty-second year. (3) And moreover, by another ſtatute made at Weſtmiſter, the fifteenth of St. Michael, the firſt year of the reign of King Richard the Second, it was ordained and made, That no man which hath been ſheriff of any county by one whole year, ſhall be another time choſen nor put in the ſaid office within three years next enſuing, except that there be not other ſufficient within the ſaid county, as it appeareth more plainly by the ſaid ſtatute of King Richard. (4) And whereas in divers counties in England, after the making of the ſaid ſtatutes, many and ſeveral ſheriffs have been made, and have occupied within the ſaid counties, ſome ten years, and ſome twelve years, and more, to the great damage of the King that now is, his progenitors, and their people within the ſaid counties, contrary to the ſaid ſtatutes, and all other good rule, and very like in time to come to be to their importable damage, and open diſheriſon, upholding of manſlaughter, perjury, and great oppreſſion to many of the King's liege people, conſidering the great conſanguinity, alliance, and familiars of the ſheriff, as well of them as have been before this time, as of them which now be in the ſaid counties ; (5) A confirmation of the ſtatutes aforeſaid, that no man ſhall be ſheriff above one year, &c.

1 R. 2. c. 11.

28 Ed. 3. c. 7.

of

of sheriffs at this day, and also such persons as have estate of freehold in the office of sheriffs at this day, and except the letters patents made to them of the office of sheriffs, and their under-sheriffs and clerks.) (6)

And if any sheriff, or under-sheriff, or sheriff's clerk, occupy the office of sheriff, under-sheriff, or sheriff's clerk, contrary to any of the statutes afore recited, or against the effect or intent of any of them (except before excepted) that then he which doth so occupy, shall forfeit the sum of CC li. yearly, as long as he occupieth contrary to the effect of the said statutes; (7) and that every pardon hereafter to be made for such offence or occupation, or forfeiture of sums before recited, shall be void, and not available, and all patents made, or to be made, of any the said offices for term of years, for term of life, or in fee-simple, or in fee-tail, to any of the King's liege people (except before excepted) shall be void and of no value, by the same authority, any clause or word of *Non obstante* in any wise put or to be put in such patents to be made notwithstanding. (8)

And moreover, whosoever will take upon him or them, to have or occupy the said office of sheriff, by virtue of such grants or patents now to be made for term of years, for term of life, fee-simple, or fee-tail, shall stand for ever and at all times disabled to be or bear the office of sheriff within any county in *England* by the same authority. (9) And that every liege man which will sue for the said sum forfeit, against him or them which in such manner doth

les southviscounts & tous les autres officers deinz la citee de Loundres que ore sont ou ferrount tout temps excepts, & autielx countees tantfoulement exceptz, en queux divers de le liege poeple du Roi en loffice de viscount a cest jour sont enheritez, & auxint tielx personnes que ont estatte de frank tenement en loffice de viscount mesme cest jour & lettres patentes a eux faitz del office de viscount & leur south-viscounts & clerks exceptz. Et si aucun viscount ou clerk de viscount occupia office de viscount, southviscount, ou clerk de viscount, contrarie a aucuns de les estatutz avant recitez, ou encountre lessiet ou entent dascun de eux exceptz devant exceptz; que adonques cestuy que issint occupia, forfaira la somme de CC li. annuelement, auxi longement come il occupia contrarie al effect dez ditz estatutz. Et que chescune pardon en temps avenir destre fait pur tiel offense, occupation, ou forfaiture dez sommes avant recitez, ferroit voidez & nient availablez; & toutz patentz, fait & affairs, de aucun de les ditz offices pur terme dans terme de vie, en fee-simple, ou fee taille, a aucun de lez liegez du Roi, exceptz devant exceptz, soient voidez & de null value per mesme lautorite, aucun clause ou parole de non obstante en aucun mys ou a mettre en tielx patentz destre fait nient obstauntz. Et oustre ceo quiconque presume sur luy ou sur eux, daccepter ou occuper la dit office de viscount per vertue dautielx grauntez ou patentz ore affaires pur terme dans, a terme de vie, fee simple, ou fee taille, destoier

The penalty for occupying the sheriff-wick above one year. Altered by 12 Ed. 4. c. 1.

All patents made to any to be sheriff above a year, shall be void.

stoier disable perpetuelment
& tout temps, destre ou porter
lofficie de viscount deinz as-
cun countee en Engleterre per
mesme lauctorite; & que
chescune liege homme que
voet suer par la dit somme for-
fait envers celluy ou ceux que
en tiel manere forface ou forfa-
cent serra resceu & admys de suer
action de dette en son propre noun, le Roy davoit lune moite
de tout ceo que aveignera per ielle action destre recoverez per
tiel suite, & celluy ou ceux qui issint pursuera ou pursueront da-
ver lautre moite.

doth forfeit or shall forfeit, shall
be received and admitted to
sue an action of debt in his
own name, our lord the King
to have the one half of all that
shall happen by the same action
to be recovered by such suit,
and he or they that so pursue
to have the other half.

Who shall
take the be-
nefit of the
forfeiture.

29 H. 6. c. 2.
6 H. 8. c. 12.

C A P. IX.

*The Chancellor of England may grant commissions of sewers
during fifteen years.*

ITEM, whereas in the parliament holden at *Westminster* at *Ex edit. Rast.*
the xv of St. *Michael*, the sixth year of the reign of the King
that now is, for the great damages and losses that happen by
the great rising of waters in divers parts of this realm, and that
many greater losses were like to have come, if remedy had not
been hastily provided, wherefore by authority of the said parlia-
ment it was ordained and granted, by ten years then next ensu-
ing, That several commissions of sewers should be made to di-
vers persons by the King's chancellor of *England* for the time be-
ing, named in all parts of this realm where need is, after the *Commissions*
form following in the same statutes, by reason whereof the said *of sewers.*
mischiefs were greatly reformed and amended. And whereas
now of late in divers parts of this realm, by great rising of wa-
ter, many towns and lands to a great quantity be drowned and
destroyed, to the great hindrance of this realm, and great pre-
judices, damages and mischiefs, be very likely to fall, if remedy
be not hastily for the same provided: the King considering the
premisses, and how the ten years be passed, hath ordained by au-
thority aforesaid, That during the term of xv years next ensuing,
the chancellor of *England* for the time being shall have power to
make commissions of sewers out of the King's chancery, under
the King's great seal, in such form as it was granted to be made
by the statute made the said sixth year.

C A P. X.

*No sheriff shall let to farm his county or any bailiwick. The
sheriffs and bailiffs fees and duties in several cases.*

ITEM, le Roi considerant
lez graundez perjure ex-
tortion et oppression, queuz
sount et pount estez en cest
roialme

ITEM, The King, consider-
ing the great perjury, ex-
tortion, and oppression which
be and have been in this realm
by

4 H. 4. c. 3.
Hob. 13.
Cro. El. 11, 22,
66, 178, 191,
199, 271.

No-sheriff shall let to form his county, or any bailiwick, hundred, or wapentake.

None of the sheriff's officers shall be returned upon inquests.

21 H. 7. f. 16.
Dyer, 119.
Litch. 54.
5 Mod. 215.
3 Ed. 1. c. 26.

The sheriff and his bailiffs fees for arrests and attachments. Rast. 337. Co. pl. 364. The sheriffs and officers

by his sheriffs, under-sheriffs, and their clerks, coroners, stewards of franchises, bailiffs, and keepers of prisons, and other officers in divers counties of this realm, hath ordained by authority aforesaid, in eschewing of all such extortion, perjury, and oppression, that no sheriff shall let to form, in any manner, his county, nor any of his bailiwicks, hundreds, nor wapentakes; (2) nor that the said sheriffs, under-sheriffs, bailiffs of franchises, nor any other bailiff, shall return, upon any writ or precept to them directed to be returned any inquests in any panel thereupon to be made, any bailiffs, officers, or servants to any of the officers aforesaid, in any panel by them so to be made; (3) nor that any of the said officers and ministers, by occasion, or under colour of their office, shall take any other thing by them, nor by any other person to their use, profit, or avail, of any person by them, or any of them, to be arrested or attached, nor of none other for them, for the omitting of any arrest or attachment to be made by their body, or of any person by them or any of them, by force or colour of their office, arrested or attached, for fine, fee, suit of prison, mainprise, letting to bail, or shewing any ease or favour to any such person so arrested, or to be arrested, for their reward or profit, but such as follow; that is to say, for the sheriff xx d. the bailiff which maketh the arrest or attachment, four pence, and the gaoler, if the prisoner be committed to his ward, four pence; (4) And that the sheriff, under-sheriff, sheriff's clerk, steward

roialme per sez viscountz, southviscountz, et lour clerks, coroners, seneschall des fraunchisez, baillifs et gardeinz des prisons, et autres officers en diverssez counteez dicest roialme, ad ordeigne per lauctorite fuisdit, en eschuyng dez toutz tielx extorsions, perjurie, et oppression, que nulle viscount lesse a ferme en ascun manere son counte, ne ascun de sez baillifswika, hundrede, ne wapentakez, ne que lez ditz viscountz, southviscountz, baillifs dez fraunchisez, ne ascun autre baillif, retourne sur ascun brieve ou precept a eux direct, de retourner ascuns enquestes ou ascuns panellez sur ceo destre fait, ascuns baillifs, officers, ou servaunts a ascun de lez officers fuisditz, en ascun pannelle per eux issint affaire, ne que null de lez ditz officers et ministrez, per occasion, ou south colour, de lour office, preigne ascun autre chose per eux ne per ascun autre persone a lour oeps ou availle dascun persone per eux ou ascuns de eux destre arrestuz ou attachez, ne de nulle autre pur eux, pur le lesser dascun arrest ou attachment destre fait per lour corps, ou de ascun persone per eux ou ascun de eux per force ou colour de lour office arrestuz ou attachez, pur syn, fee, sewer de prison, maynpris, lessance a baille, ou monstraunce ascun ease ou favour a ascun tiel persone issint arrestuz ou arrestier, pur lour regard ou profit, si noun tiel come ensuist, scilicet pur le viscount xx d. le baillif qe face larrest ou lattachement iiij d. & le gaoler, si le prisoner soit commis a sa garde, iiij d. Et qe le viscount, southviscount, clerk de viscount, seneschall

chall ou baillif de franchiſe, ſervant ou baillif, ne coroner, preigne per colour de ſon' office, per luy ne per aucun autre perſone a ſon uſe, dascun perſone pur la faiſure dascun retourne ou panelle aſcun choſe, et pur la copie dun panell iijid, et que lez dit viſcountz, et toutz autres officers & miniſtrez avauntiditz, leſſeront hors du priſon toutz maners dez perſonez per eux ou aſcun de eux arreſtiers ou eſteant en leur garde per force dascun briefe, bille, ou garraunt en aſcun action perſonell, ou per cauſe denditement de treſpas, ſur reſonable ſuerte dez ſufficeantz perſonez ciantz ſufficeauntz deinz lez counteez lou tielx perſonez ſount iſſint leſſez a baille ou maynpris, de garder leur jours en tielx lieux come lez ditz briefs billez ou garrauntz requirunt; tiel perſone ou perſonez qui ſount ou ſerount en leur garde per condemnation, execution, *Capias Utlagat.* ou *Excommunicatum* ſuerte de peas, et toutz tielx perſonez qui ſount commyz a gard per eſpecial commaundement dascun juſtice, et vagerauntz reſuſauntz de ſervir ſolouque la fourme del eſtatut dez laborers, tauntsoulement exceptz. Et qe nulle viſcount, ne nulle dez officers ou miniſtrez ſuiſditz, preigne ou face de prendre ou faire aſcun obligation pur aſcun cauſe ſuiſditz, ou colour de leur office, ſinoun tauntsoulement a leur meſmez, dascun perſone, ne pur aſcun perſone, qui ſoit en leur garde per le cours de la leye, forſque ſur le noun de leur office, et ſur condition que la dit priſoner ap- pierge a le jour conteignuz en le

ſteward or bailiff of franchiſe, ſervant of bailiff or coroner, ſhall not take any thing by colour of his office, by him nor by any other perſon to his uſe, of any perſon for the making of any return or panel, and for the copy of any panel, but iv d.

(5) And that the ſaid ſheriffs, What perſons and all other officers and miniſters aforeſaid, ſhall let out of priſon all manner of perſons by them or any of them arreſted, or being in their cuſtody, by force of any writ, bill, or warrant in any action perſonal, or by cauſe of indictment of treſpaſs, upon reaſonable ſureties of ſufficient perſons, having ſufficient within the counties where ſuch perſons be ſo let to bail or mainpriſe, to keep their days in ſuch place as the ſaid writs, bills, or warrants ſhall require.

(6) Such perſon or perſons which be or ſhall be in their ward by condemnation, execution, *Capias Utlagat.* or *Excommunicatum*, ſurety of the peace, and all ſuch perſons which be or ſhall be committed to ward by ſpecial commandment of any juſtice, and vagabonds reſuſing to ſerve according to the form of the ſtatute of labourers only except.

(7) And that no ſheriff, nor any of the officers or miniſters aforeſaid, ſhall take or cauſe to be taken, or make, any obligation for any cauſe aforeſaid, or by colour of their office, but only to themſelves, of any perſon, nor by any perſon which ſhall be in their ward by the courſe of the law, but by the name of their office, and upon condition written, that the ſaid priſoners ſhall appear at the day contained in the ſaid writ, bill or warrant, and in ſuch

ſees for the copy of a panel.
3 Ed. i. c. 16.
Cro. El. 76.
3 Leon. 208.

what perſons may be bailed, what not.
Litch. 13. 143.
Plowd. 60.
The conditions of the bail bond.

Carthew, 300.
1 Mod. 227.

2 Mod. 177.
3 Mod. 307.
1 Sid. 383.
1 Saund. 162.
162.
2 Anderſ. 122.
2 Leon. 78.
107, 108.
1 Anderſ. 267.
Hob. 13.
10 Co. 101.
Dyer, 118.
323, 364.
3 Co. 59.
10 Co. 99.
Cro. Jac. 286.
Cro. Car. 309.
438.
Savil, 81.
Hob. 72.

The sheriff's
fee for an ob-
ligation, war-
rant, or
precept.

The sheriff
shall make de-
puties in the
King's court.

The forfei-
tures of the
offenders, and
who shall have
them.

What justices
may enquire
of hear and
determine the
offences afore-
said.

The sheriff re-
turning *Copi*

such places as the said writs, bills, or warrants shall require. (8) And if any of the said sheriffs, or other officers or ministers afore said, take any obligation in other form by colour of their offices, that it shall be void; (9) and that he shall take no more for the making of any such obligation, warrant, or precept by them to be made, but four pence. (10) And also that every of the said sheriffs shall make yearly a deputy in the King's courts of his chancery, the King's bench, the common place, and in the exchequer, of record, before that they shall return any writs, to receive all manner of writs and warrants to be delivered to them: (11) And that all sheriffs, under-sheriffs, clerks, bailiffs, gaolers, coroners, stewards, bailiffs of franchises, or any other officers or ministers, which do contrary to this ordinance in any point of the same, shall lose to the party in this behalf indamaged or grieved, his treble damages, (12) and shall forfeit the sum of xl. li. at every time that they or any of them do the contrary thereof in any point of the same; whereof the King shall have the one half, to be employed to the use of his house, and in no other wise, and the party that will sue, the other half. (13) And that the justices of assises in their sessions, justices of the one bench and of the other, and justices of peace in their county, shall have power to inquire, hear, and determine of office without special commission, of and upon all them that do contrary to these ordinances in any article or point of the same. (14) And if the said

sheriffs,

le dit briefe bille ou garrant et en tielx lieux come le dit briefe bille ou garrant requiert. Et si ascuns de lez ditz viscountz ou autres officers ou ministrez suisditz preigne ascun obligation en autre fourme per colour de lour offices, qil soit voide. Et qil ne preigne plus pur la sescuance dascun tiel obligation, garrant, ou precept, per eux destre fait, forsque iiij. d. Et auxint que chescune de lez ditz viscountz face annuelment un depute en lez courtz du Roi de sa chauncerie, bank du Roy, commune bank, et lechequer, de recorde, devaunt ceo qils retournent ascuns briefs, de recevoir toutz maners dez briefs et garrantz a eux destre deliverez. Et qe toutz les viscountz, southviscountz, clerks, baillifs, gaolers, coroners, seneschallx, baillifs dez fraunchisez, ou ascuns autres officers ou ministrez, queux fount le contrarie dicest ordeignance, ou dascun point dicelle, perde a la partie en ycelle endamage ou greve sez treblez damages et forface la somme de xl. li. a chescune temps que eux ou ascun de eux fount le contrarie dicelle en ascun point dicelle, dount le Roi davoir lune moite, ceo destre emploiez a le use de son hostiel, et en null autre manere, et lautre moite a celluy qui ceo voet suer. Et que lez justices dez assisez en lour sessions, justices del un bank et del autre, et justices de la peas en lour pais, eient poair denquerer, oier et terminer, doffice, saunz especial commission, de et sur toutz iceux, qui ferrount le contrarie dicest ordeignance en chescune article ou point dicelle. Et si lez ditz viscountz retournent

retournent sur aucun persone
Cepi Corpus, ou Reddidit se,
qils soient chargeablez davoit
le corps dez ditz personez a
lez jours de la retourne dez
ditz briefs, billez, ou gar-
raunts, en tiel fourme come ils
furent devaunt la fesaunce di-
cest acte. Purveu toutz soitz,
que per cest present ordeig-
naunce le gardeyn de la gaole
le Roy de Flete, et de la paleys
du Roi a Westminster, pur le
temps esteant, ne soit enda-
mage ne prejudice en son dyete
de son office. Et auxint que
cest ordeignaunce commencera
en la fest de Pasque que serra
en lan de nostre seignur Jesu
Crist Ml. CCCC xlvje.

sheriffs return upon any per-
son, *Cepi Corpus*, or *Reddidit se*,
that they shall be chargeable
to have the bodies of the said
persons at the days of the re-
turns of the said writs, bills,
or warrants, in such form as
they were before the making of
this act.

II. Provided always, That The warden
the warden of the King's gaol of the Fleet
of the Fleet, and of the King's and of the
palace of Westminster for the palace of
time being, shall not be enda- Westminter
maged nor prejudiced by this 4 Co. 76.
ordinance in the duty of his Dyer, 229.
office. And also that this or-
dinance shall begin at the feast
or *Easter*, which shall be in the
year of our Lord MCCCC xlvj.

C A P. XI.

The order of levying the wages of the knights of the parliament.

ITEM, come devaunt cest
temps diverséz viscountz en
diverséz counteez Dengleterre
qount per colour des briefs di-
rectz a eux, pur lever lez ga-
gez de lez chivalers de lez
counteez pur le temps esteantz,
de lez parlemantz du Roy qo-
rcst, et de lez noblez progeni-
tours, ount leve pluis de mo-
ney, que ad este due as lez
ditz chivalers, et pluis qils
ount deliverez a eux, gardauntz
et preignauntz graunde partie
du dit money a lour use et pro-
fit demesne, et lour officers et
servaunts, a tresgraunde da-
mage de la commune poeple
de lez ditz countees : le Roi
considerant lez premissez, ad
ordeigne per lauctorite suiffit,
qe le viscounte de chescune
counte pur le temps esteant, en
le proschein counte tenuz en
lour counteez apres la delive-
raunce de lez ditz briefs fait a
Vol. III. eux,

ITEM, Whereas before this
time divers sheriffs in divers
counties of England, by colour of
writs to them directed, to levy the
wages of the knights of the shires
for the time being, of the parlia-
ment of the King that now is, and
of his noble progenitors, have levied
more money than hath been due to
the said knights, and more than
they have delivered, keeping and
retaining great part of the money
to their own use and profit, to their
officers and servants, to the great
loss of the common people of the
said counties : (2) The King,
considering the premisses, hath
ordained by the authority afore-
said, That the sheriff of every
county for the time being, in
the next county court holden
in their counties, after the de-
livery of the said writs directed
to them, shall make open pro-
clamation, that the coroners,
and every chief constable of the

The order of
the levying of
the wages of
the knights of
the shire for
the parlia-
ment.

T

peace

The penalty
if the ſheriff,
or his officers,
levy more mo-
ney than is
aſſeſſed.

peace of the ſaid counties, and the bailiffs of every hundred or wapentake of the ſame county, and all other which will be at the aſſeſſing of the wages of the knights of the ſhires, ſhall be at the next county there to be holden to aſſeſs the ſaid wages of the ſaid knights; (3) and that the ſheriff, under-ſheriff, coroners, or bailiffs for the time being, be there at the ſame time in their proper perſon, upon pain of forfeiture to the King, of every of them that maketh default, forty ſhillings. (4) At which time the ſaid ſheriff or under-ſheriff, in the preſence of them that ſhall come to the ſame, and of the ſuitors of the ſame counties then being there, in the full county well and duly ſhall aſſeſs every hundred to that aſſeſſable by itſelf, to pay a certain ſum for the wages of the knights of the ſhire, ſo that the whole ſum of all the hundreds do not exceed the ſum which ſhall be due to the ſaid knights. (5) And after that in the ſame county, they ſhall aſſeſs well and lawfully every village within the ſaid hundreds, which ſhould be there aſſeſſable, to a certain ſum for the payment of the ſaid wages; ſo that the whole ſum of all the towns within any of the ſaid hundreds, do not exceed the ſum aſſeſſed upon the hundred of which they be. (6) And that the ſaid ſheriffs, under-ſheriffs, bailiffs, nor any other officer, for the cauſe aforeſaid, ſhall levy more money of any village than that whereunto they were aſſeſſed: (7) and if any do or will aſſeſs any hundred or village otherwiſe than is aforeſaid, that they ſhall forfeit for every default to the

eux, face overt proclamation, que lez coroners, et cheſcune chief conſtable de la peas dez ditz countees, et lez bailiffs de cheſcun hundred ou wapentak de meſme le counte, et toutz autres qui voillent eſtre a le aſſeſſaunce de lez gagez dez chivalers de lez countees, ſoient a le proſchein countee illoquez a tenir, daſſeſſer lez gagez de lez ditz chivalers; et que le viſcount, ou ſouthviſcount, coroners, ou bailiffs, pur le temps eſteantz, ſoient illoquez a meſme le temps en leurs propres perſonnez, ſur la peyn de forfaiture a Roi, de cheſcune diceux qui face defaute xl. s. a quel temps le viſcount ou ſouthviſcount, en preſence diceux qui a celle temps viendront, et de lez ſuitours dez ditz countees adonques eſteantz la, en le pleyn counte bien et duement ceſſa cheſcune hundred a ceo aſſeſſable per luy meſme a un certain ſomme, de paier pur lez gagez dez ditz chivalers de lez countees, iſſint que lentier ſomme dez toutz lez hundredez nexcede la ſomme que ſerra dewe a lez ditz chivalers; et apres ceo en meſme le counte aſſeſſe bien et duement cheſcune village deinz lez ditz hundredez a ceo aſſeſſable, a un certain ſomme pur le paiement de lez ditz gagez, iſſint que lentier ſomme dez toutz lez villes deinz aucun de lez ditz hundredez nexcede la ſomme aſſeſſe ſur le hundrede de quell eux ſount. Et que lez ditz viſcountz, ſouthviſcountz, bailiffs, ne null autres officers pur la cauſe ſuiſdit leva plus de money de nulle village, que ceo a que ils furent aſſeſſez, et en manere et fourme come ils ſount aſſeſſez. Et ſi aucune face

ou voille assesser aucun hundred ou village autrement que est avunt dit; qils forfacent pur chescun default a Roy xx. li. et a chescune homme, qui voet fuer en cest cas x. li. Et que lez ditz viscountz bien & duement levent la money issint assessez sur lez ditz villagez, auxi hastivement come ils poient bonement apres le dit assellance, et icelle deliverent as lez ditz chivalers, accordant a lez briefs de ceo destre faitz, sur lez ditz peyne; et celluy qui voet fuer en cest cas soit admys a ceo, et eit pur sa action en cest cas un scire facias envers celluy qui offense encountre cest ordeignance. Et si le defendant duement garniz en ycelle face default, ou autrement appierge et soit en ycelle convict; que adonques lez pleintifs recoverent envers eux qui issint sont convictz x. li. a leur propre use oustre lez ditz xx. li. ove leur damages pur lez cofagez de leur suitz a le treble. Et que lez justices de le bank le Roi justices de commune bank, justices daffisez et gaole deliverer, et justices de la peas en leur pais, eient, poiar denquerer, oier et terminer, dez toutz lez ditz defaultz, sibien per enquerre a la suite du Roi, come per action a la suite de partie. Et qe toutz tielx expensez dez chivalers ne soient levez dascuns autres villagez, seignouries, ou lieux, forsique dez tielx come ils ount este duement levez devaunt cest temps, et que en chescune tiel briefe desore affaire pur lever lez gagez dez chivalers soit cest act comprehenduz.

the King twenty pounds, and to any man which will sue in this case, ten pounds.

II. And that the said sheriffs well and duly shall levy the money so assessed upon the aforesaid villages, as speedily as they well may after the said asselling, and the same shall deliver to the said knights, according to the writs thereof to be made, upon the said penalties; (2) and he that will sue in this case, shall be thereunto admitted, and shall have for his action in this case a *Scire facias* against him that offendeth contrary to this ordinance; (3) and if the defendant, duly warned in the same, make default, or else appear, and be in the same convicted, that then the plaintiffs shall recover against them which be so convicted, ten pounds to their own use, over the said twenty pounds, with their treble damages for the costs of their suits.

Who may prosecute on this act, and by what writ.

The penalty on offenders.

III. And the justices of the King's bench, and of the common pleas, justices of assises, and gaol-delivery, and justices of peace in their country, shall have power to inquire, hear, and determine of all the said defaults as well by inquiry at the King's suit, as by action at the suit of the parties; (2) and that all such expences of knights shall not be levied of any other villages, seignories, or places, but of such whereof it hath been levied before this time.

Who may inquire of, hear and punish the offenders aforesaid.

The knights wages shall be levied only in villages, the accustomed places.

IV. And that in every such writ from henceforth to be made to levy the wages of the said knights, this act shall be comprehended in the same.

35 H. 6. c. 112

C A P. XII.

The trial fhall be made when the tenant or defendant, after an iffue joined, pleadeth a foreign plea, where the fame writ is brought, and by the jury fo returned. To endure to the next parliament.

Ex edit. Raft.

Foreign plea.

ITEM, The King hath ordained and eftablifhed by the authority aforefaid, That if any perfon or perfons tenants or defendants in any action real or perfonal, after that they be pleaded to an iffue in any fuit or action, and the iffue joined and entered of record, and a *Venire facias* of the jury returned, that if they or any of them after at another day in court plead any foreign plea, triable in any other court than where the writ is brought or the fuit taken, and the demandants or plaintiffs in fuch foreign pleas plead to the iffue, that fuch iffue in fuch foreign plea fhall be tried where the writ is brought in fuch fuit taken, and by the fame jury fo returned. And that this act and ordinance fhall begin at the feaft of *Eafter*, which fhall be in the year of our Lord 1446, and fhall endure till the next parliament.

C A P. XIII.

A fervant in husbandry purpofing to depart from his mafter muft give him half a year's warning, or elfe he fhall ferve him the year following. The feveral wages of fervants in husbandry, and of labourers, with meat and drink, and without.

Servants of husbandry.

Covenant.

Wages.

ITEM, The King hath ordained by the authority aforefaid, That every fervant of husbandry, purpofing to depart from his mafter at the end of his term, at the midft of his term or otherwife, make covenant before with another man to ferve him for the next year, if he be in fuch cafe as the law will compel him to ferve, and that the faid fervant and he, which fo fhall make covenant with him at the midft of the faid term or before, fhall give warning to the mafter of the faid fervant of the faid covenant fo newly made, fo that the fame mafter may provide another fervant againft the end of his term. And if any covenant with any fuch fervant be otherwife made, or that fuch warning in manner and form aforefaid be not had, that the fame covenant fhall be void, and that the fame fervant be compelled to ferve his firft mafter for the next year, except that a lawful caufe being of a later time require the contrary. And alfo that the falaries and wages of fervants, labourers and artificers, fhall not exceed the affeffing, that followeth, that is to fay, the wages of a bailiff of husbandry by year xxiii. s. iiii d. and clothing price of five fhillings with meat and drink, of a chief hind, a carter or chief shepherd xx. s. and clothing price of iiii. s. with meat and drink, a common fervant of husbandry xv. s. and clothing price xl. d. a woman fervant ten fhillings, and clothing

ing price of *iiii. s.* with meat and drink, an infant within the age of fourteen years *vi. s.* and clothing price of *iii. s.* with meat and drink. The same form shall be observed of wages of servants being with hostlers, victualers, and artificers in city, borough and elsewhere. And that such as deserve less shall take less. And also in places where less is used to be given, less shall be given from henceforth. And that from the feast of *Easter*, till the feast of Saint *Michael*, the wages of any free mason or master carpenter shall not exceed *iiii. d.* by the day, with meat and drink, and without meat and drink *v. d. ob.* a master tiler or a slater, a rough mason and mesne carpenter and other artificers concerning building, by the day three pence with meat and drink, and without meat and drink *iiii. d. ob.* and every other labourer by the day *ii. d.* with meat and drink, and without meat and drink *iiii. d. ob.* And that from the feast of Saint *Michael* till the feast of *Easter*, a free mason and a master carpenter by the day *iii. d.* with meat and drink, and without meat and drink, *iiii. d. ob.* tiler, mesne carpenter, rough mason, and other artificers aforesaid by the day *ii. d. ob.* with meat and drink, and without meat and drink *iiii. d.* And every other artificer and labourer by the day *i. d. ob.* with meat and drink, and without meat and drink *iii. d.* and he that deserveth less shall take less. Provided that the said assessing shall not extend to labourers in the time of harvest, in which time the wages of a mower shall not exceed *iiii. d.* by the day with meat and drink, and without meat and drink *vi. d.* a reaper or carter *iii. d.* by the day with meat and drink, and without meat and drink, *v. d.* a woman labourer and other labourers in time of harvest *ii. d.* by the day with meat and drink, and without meat and drink *iiii. d. ob.* and such as be worthy of less shall take less. And in places where less is used to be taken, less shall be taken from henceforth. And that no artificer workman or labourer shall take any thing for the holy day nor for the ferial day, but after the rate of the time of the day in which he laboured. And if any person refuse to serve or labour according to the premisses, that every justice of peace in their counties shall have power at every time to call them to examination of the same and such as they shall find defective, to commit to the gaol, there to remain till they have found sufficient surety to serve and labour in form by the law required. And if any servant, artificer, workman, or labourer, do contrary to the premisses, or deny his service, occupation or labour by reason of not giving of salary or wages, contrary to these statutes, that he shall lose to the party that will sue in this behalf *xx. s.* And that the said justices of peace shall have power to hear and determine all manner of offences done contrary to the form of this statute as well at the King's suit as at the parties, and that every of the King's liege people may have the suit against every person that shall offend in any point against this statute, and the process shall be by attachment, *Capias*, and *Exigend.* Also that the justices of peace shall assess no fine upon any which shall be convicted before them of a thing

Harvest.

Justices of
peace.

done contrary to any statute of labourers or artificers, or for this cause put him in the good grace of our sovereign lord the King under iii. s. iii. d. And also that the justices of peace through the realm two times every year shall do openly to be proclaimed in their sessions all the statutes of labourers, artificers, hostlers, victualers, servants, and vagabonds before this time made and not revoked with this statute. And that by colour of the tenor of less lands than the husbandry of the same shall suffice to the continual occupation of one man, no man shall be excused to serve by the year, upon the pain to be justified as a vagabond. Also that justices of peace shall have power to take all servants retained with any person by colour of husbandry, and not duly occupied about the same, which servants ought by the law to be servants of husbandry, and to compel them to serve in the occupation of husbandry to such as shall require their service, and to justify them in every point as the same justices have power to justify vagabonds. And that this statute shall begin to be of force and executory in the feast of Saint *Michael* which shall be in the year of our Lord one thousand four hundred and forty six, and in no wise before.

Repeated by
5 Eliz. c. 4.

C A P. XIV.

The penalty of a subject's taker, taking any thing without the owner's consent.

The penalty
if a subject's
cator, or other
do take any
thing against
the owners
will.

ITEM, The King hath ordained and stablished by the authority aforesaid, that if any buyer or other officer of the duke of *Gloucester*, or of any other lord or person, of what estate, degree or condition that he be, presume upon him to take, or else do take any victuals, corn, hay, carriages, or any other thing whatsoever, of any of the King's liege people in any wise against their will, without lawful bargain betwixt the said buyers or officers, and the said liege people thereof to be made, to the use of the said duke or other lord for their houses, but only for the King and the Queen, and their houses, that then if notice or request be made to the mayor, sheriff, bailiff, constable, officers, or other of the King's ministers of cities and boroughs, of other counties or places where such takings shall happen to be, that then the said mayor, sheriff, constable, officer and minister, to whom such notice and request shall be made, presently shall take and arrest all such buyers and officers so doing or offending, and them shall send to the King's next prison, there to remain, and not to be let to bail nor mainprise, until they have redelivered the same victuals, carriages, and other things so taken, or the very value of the same. (2) And if the said mayor, sheriffs, bailiffs, constables and officers aforesaid, do contrary to this, that then they shall forfeit twenty pounds, whereof the King shall have the one half, and the party from whom such things be taken, the other half, if he will sue by an action of debt, in the which the defendant shall not wage his law: (3) And if he will not sue, whosoever will sue for the King and himself, shall have the suit to recover to himself the one half thereof, and the King the other half. (4) And if any of the said buyers, other than
of

The forfei-
ture of officers
who will not
assist the op-
pressed in this
case.

of the King and the Queen be duly convict of such unlawful taking (as afore is recited) at the suit of such parties as shall sue them in this behalf, that then they shall yield to the party which so sueth, the treble value of the victuals, or other thing so taken, and the double costs of their suits, and for the said trespass to make fine and ransom to the King. (5) And that in all such actions or suits aforesaid, the King's protection shall not be allowed nor available for the defendant. (6) And this ordinance shall begin to take effect at the feast of *Easter*, which shall be in the year of our Lord one thousand four hundred and forty six. (7) Provided always, that by this act the punishment ordained against the King's purveyors in no wise shall be restrained.

36 Ed. 3. c. 6.
7 R. 2. c. 8.

CAP. XV.

Who shall be knights for the parliament. The manner of their election. The remedy where one is chosen and another returned.

ITEM come per auctorite dun parlement tenuz a Westm' lan du reigne de le treshonorable pier du Roi qorest primer, entre autres choses ordeigne fust, que lez citezeins et burgeisez dez citeez et burghs venauntz au parlement serroient eslieux hommes citezeins et burgeisez resceauantz demurrauntz et enfraunchisez en mesme lez citeez et burghs, et null autres; come en mesme lestatut pluis pleynement est conteignuz: lez queux citezeins burgeisez et nulle autres ount tout temps en citeez et burghs estez eslieux, et as viscountz dez counteez retournez, et sur leur retournez resceux et acceptez per lez parlamentz devaunt cez houez tenuz: et auxint come per auctorite dun parlement tenuz a Westm' lan du reigne le Roi qorest oepisme, ordeigne fust, en quell manere et fourme lez chivalers dez counteez a venir as parlamentz enapres teniers serrount eslieux, et comment lez viscountz dez mesme lez counteez sur ceo serroient leur retournez, come

ITEM, Whereas by authority of a parliament holden at Westminster the first year of the reign of King Henry, father to the King that now is, amongst other things it was ordained, That the citizens and burgeses of cities and boroughs, coming to the parliament, should be chosen men citizens and burgeses resident, abiding, and free in the same cities and boroughs, and none other, as in the same statute more fully is contained; (2) which citizens and burgeses have always in cities and boroughs been chosen by citizens and burgeses, and no other, and to the sheriff of the counties returned, and upon their returns received and accepted by the parliaments before this holden, (3) And also, whereas by authority of a parliament holden at Westminster, the eighth year of the reign of the King that now is, it was ordained in what manner and form the knights of the shires coming to the parliaments from thenceforth to be holden should be chosen, and how the sheriffs of the same counties thereupon should make their returns, as in the same statute more fully appeared;

1 H. 5. c. 1.
18 G. 2. c. 18.
4 Inst. 10.

7 H. 4. c. 15.

8 H. 6. c. 7.

The several defaults of sheriffs in returning of knights, &c. to serve in parliament.

peareth; (4) *by force of which statute elections of knights to come to the parliaments sometimes have been duly made, and lawfully returned, until now of late, that divers sheriffs of the counties of the realm of England, for their singular avail and lucre, have not made due elections of the knights, nor in convenient time, nor good men and true returned, and sometime no return of the knights, citizens, and burgeses lawfully chosen to come to the parliaments; (5) but such knights, citizens, and burgeses have been returned, which were never duly chosen, and other citizens and burgeses than those which by the mayors and bailiffs were to the said sheriffs returned; (6) and sometimes the sheriffs have not returned the writs which they had to make election of knights to come to the parliaments, but the said writs have imbezzeled, and moreover made no precept to the mayor and bailiff, or to the bailiffs or bailiff where no mayor is, of cities and boroughs, for the election of citizens and burgeses, to come to the parliament, by the colour of these words contained in the same writs; [Quod in pleno comitatu tuo eligi facias pro comitatu tuo duos milites, et pro qualibet civitate in comitatu tuo duos cives, et pro quolibet burgo in comitatu tuo duos burgenles;] (7) and also because sufficient penalty and convenient remedy for the party in such case grieved is not ordained in the said statutes against the sheriff, mayors, and bailiffs, which do contrary to the form of the said statutes: (8) The King considering the premisses hath ordained by authority aforesaid, That the said statutes shall be duly kept in all points; (9) and moreover that every sheriff,*

come en mesme estatut plus pleynement appiert: per force de quele estatut elections des chivalers a venir a parlement ascun soitz ount estez duement faitz et loialment retournez, tanqe a ore tarde, que diversez viscountz dez counteez du roialme dEngleterre pur lour singular availle et lucre ne ount faitz due elections dez chivalers, ne en temps covenable, ne bons et verroiez retournez, et ascun soitz null retournez dez chivalers citezeins et burgeisez loialment esluz pur venir as parlementz; mez ount retournez tielx chivalers citezeins et burgeisez, que ne furent unquez duement eslieux, et autres citezeins et burgeisez, que ceux que per mairs et baillifs as ditz viscountz furent retournez: Et ascun soitz lez viscountz ne ount retourne les briefs qils avoient pur faire elections dez chivalers a venir as parlementz, einz lez ditz briefs ount embesillez, et oustre nulle precept as mair et baillifs, ou as baillifs ou baillif ou mair nest, dez citees et burghs pur elections dez citezeins et burgeisez de venir as parlementz firent, per colour de cestz parolz contenuz en lez ditz briefs, quod in pleno comitatu tuo eligi facias pro comitatu tuo duos milites et pro qualibet civitate in comitatu tuo duos cives et pro quolibet burgo in comitatu tuo duos burgenles: et auxint pur ceo que sufficeant peyne et covenable remedie pur la partie en tiel cas greve ne sount pas ordeignez en lez ditz estatutz vers lez viscountz et mairs et baillifs qui facent encounter la fourme dez ditz estatutz: le Roi considerant lez premisses, ad ordeigne per auctorite

The statutes of 1 H. 5. c. 1. 7 H. 4. c. 15. & 8 H. 6. c. 7. confirmed.

torite suïsdit, que lez ditz estatutz soient duement gardez et observez en toutz pointz. Et oustre ceo, que chescune viscount apres la livere de chescune tiel brieve a luy fait, ferra et delivera sauntz fraude un sufficient precept de south son seal a chescune mair et bailiff, ou as bailiffs ou bailiff ou mair nest, deinz citeez et burghs deinz son countee, recitant le dit brieve, eux commandant per mesme le precept, deslier, si soit citee, per citezeins de mesme la citee deux citezeins, et en mesme la fourme si soit burg, burgeisez, de venir al parlement. Et que mesme lez mair et bailiffs, ou bailiff ou mair nest, dez citeez et burghs retournent loialment le dit precept a mesme le viscount per endentures entre mesme le viscount et eux affaire, de lez ditz elections, et dez nouns dez ditz citezeins et burgeisez issint per eux eslutz. Et sur ceo que chescune viscount face bone et droit retourne de chescune tiel brieve, et de chescune retourne per mair et bailiffs, ou bailiff ou mair nest, a luy fait. Et que chescune viscount, a chescune soit qui il face le contraire dicest estatut ou dascun autre estatut pur election dez chivalers citezeins et burgeisez de venir al parlement devaunt cez hoieures fait, encourage la peyne contenu en le dit estatut fait le dit an oeprisme. Et oustre ceo forface et paie a chescune persone en apres eslieu chivaler citezein ou burgeis en son counte de venir a aucun parlement, et nemye per luy duement retourne, ou a aucun autre persone que en defaute de tiel chivaler, citezein, ou burgeis, fuer le voet C li. dont chekunc chivaler, citezein, et burgeis

sheriff, after the delivery of any such writ to him made, shall make and deliver without fraud a sufficient precept under his seal to every mayor and bailiff, or to bailiffs or bailiff where no mayor is, of the cities and boroughs within his county, reciting the said writ, commanding them by the same precept, if it be a city, to choose by citizens of the same city, citizens, and in the same manner and form, if it be a borough, by the burgesses of the same, to come to the parliament. (10) And that the same mayor and bailiffs, or bailiffs or bailiff where no mayor is, shall return lawfully the precept to the same sheriffs, by indentures betwixt the same sheriffs and them to be made of the said elections, and of the names of the said citizens and burgesses by them so chosen, and thereupon every sheriff shall make a good and rightful return of every such writ, and of every return by the mayors and bailiffs, or bailiffs or bailiff where no mayor is, to him made. (11) And that every sheriff at every time that he doth contrary to this statute, or any other statutes for the election of knights, citizens, and burgesses to come to the parliament before this time made, shall incur the pain contained in the said statute made the said eighth year, and moreover shall forfeit and pay to every person hereafter chosen knight, citizen, or burges in his county, to come to any parliament, and not duly returned, or to any other person, which in default of such knight, citizen, or burges will sue, an hundred pounds, whereof every knight,

The sheriffs shall send out precepts to the mayors and bailiffs of cities and boroughs, to elect citizens and burgesses to serve in parliament.

The penalty on a sheriff making an untrue return of a member of parliament.
 11 H. 4. c. 1.
 Carth. 132.
 1 Shower, 351.
 1 Hob. 78.
 2 Lev. 114.
 3 Lev. 30.
 1 Lut. 60.
 5 Mod. 311.
 2 Vent. 37.
 Farr. 13.
 2 Salk. 502.
 Carth. 132.

The penalty
on a mayor or
bailiff mak-
ing an undue
return.
4 Mod. 129.

knight, citizen, and burgeſſe ſo grieved, ſeverally, or any other perſon which in their default will ſue, ſhall have his action of debt againſt the ſaid ſheriff or his executors or administrators, to demand and have the ſaid hundred pounds, with his coſts ſpent in that caſe. (12) And that in ſuch action taken by virtue of this ſtatute, the defendaut ſhall not wage his law of the demand aforeſaid in any wiſe, (13) and that no defendaut in ſuch action ſhall have any eſſoin. (14) And in the ſame manner at every time that any mayor and bailiffs, or bailiffs or bailiff where no mayor is, ſhall return other than thoſe which be choſen by the citizens and burgeſſes of the cities or boroughs where ſuch elections be or ſhall be made, ſhall incur and forfeit to the King forty pounds; and moreover ſhall forfeit and pay to every perſon hereafter choſen citizen or burgeſſe to come to the parliament, and not by the ſame mayor and bailiff, or bailiffs or bailiff where no mayor is, returned, or to any other perſon which in default of ſuch citizen or burgeſſe ſo choſen will ſue, forty pounds, whereof every of the citizens and burgeſſes ſo grieved ſeverally, or any other perſon which in their default will ſue, ſhall have his action of debt againſt every of the ſaid mayor and bailiffs, or bailiffs or bailiff where no mayor is, againſt their executors or administrators, to demand and have of every the ſaid mayors and bailiffs, or bailiffs or bailiff where no mayor is, forty pounds, with his coſts in this caſe expended;

(15) and

burgeiſſint greve ſeveralment, ou aucun autre perſone qui en leur defaulte ſuer voet, ait ſa action de dette envers le dit viſcount, ou ſes executors ou administrators, a demaunder & aver lez ditz C.li. ove ſes coſtagez en ceſt cas deſpenduz. Et que en tiel action pris per vertue diceſt eſtatut le defendaut ne gagera ſa ley de la demaunde ſuſdit en null manere. Et que nulle defendaut en tiel action avera aucun eſſoin. Et en meſme le manere a cheſcune ſoitz que aſcune mair & bailiffs, ou bailiffs ou bailiff ou mair neſt, retournent ou retourne autres que ceuz qui ſont eſluz per lez citezeins & burgeiſez dez citeez & burghs, ou tielx elections ſont ou ſeront faitz, encourage & forſace a Roi xl. li. & enouſtre forſace & pais a cheſcune perſone en apres eſlieu citezein ou burgeiſe a venir al parlement, & nemye per meſmes lez mair & bailiffs, ou bailiffs ou bailiff ou mair neſt, retourne, ou autre perſone qui en defaulte de tiel citezein ou burgeiſe iſſint eſlieu ſuer voet, xl. li. dont cheſcune des citezeins & burgeiſez iſſint greve ſeveralment, ou aucun autre perſone qui en leur defaulte ſuer voet, ait ſa action de dette envers cheſcune des ditz mair & bailiffs, ou bailiffs ou bailiff ou mair neſt, & envers leur executors ou administrators, a demander & aver de cheſcune dez ditz mair & bailiffs, ou bailiffs ou bailiff ou mair neſt, xl. li. ove ſes coſtagez en ceſt cas expenduz; & que en tiel action de dette pris per force diceſt eſtatut null defendaut gagera ſa ley de la dit demaunde en null manere ne avera aucun eſſoin,

Et

Et que chescune viscount qui ne face due election dez chivalers pur venir al parlement en temps covenable, scilicet chescune viscount en son pleyn counts per entre le houre de viije & le boeure de xje devaunt le none, sanz collusion en cest partie, & chescune viscount qui ne face bon & ver-ray retourne dez tielx elections dez chivalers de venir al parlement en temps a venir, come a eux appartient, en manere & fourme suifditz, forsaçe envers le Roi C. li. & encourage la peyne de C. li. a paier a celluy qui voet suer envers luy, sez executours ou administratours, per cest cause, per voie daction de dette, ove sez costages en celle partie expenduz sans gager de ley de celle demaunde ou aver esloin, come devaunt est dit.

Purveu toutz soit, que chescun chivaler, citezein, & burgeis, pur venir a ascun parlement en temps aveignier a tenir, en due fourme esleu, & noun pas retourne come desuis est dit, commence sa action de dette suifdit deinz trois mois apres meisme le parlement commence, a proceder en la dit suite effectuellement, sanz fraude; & si issint ne face, eit un autre qui suer le voet le dit action de dette, come devaunt est dit, de aver & recoverer meisme la somme, ove sez costages en cest partie dispenduz, en manere & fourme avaunt-dit; issint que null defendaut en tiel action gagera sa ley, ne soit esloin en null manere, come desuis est dit. Et si ascun chivaler, citezein ou burgeis, en temps aveignier retourne per le viscount de venir al parlement en la manere suifdit, apres tiel

re-

(15) and that in such action of debt, taken by force of this statute, no defendant in any wise shall wage his law of the said demand, nor have any esloin.

II. And that every sheriff that maketh no due election of knights to come to the parliament in convenient time, that is to say, every sheriff in his full county, betwixt the hour of eight and the hour of eleven before noon, without collusion in this behalf; (2) and that every sheriff that maketh not good and true return of such elections of knights to come to the parliament in time to come, as to them pertaineth, in manner and form aforesaid; shall forfeit to the King an hundred pounds, and also shall incur the pain of an hundred pounds, to be paid to him that will sue against him, his executors or administrators, for this cause by way of action of debt, with his costs in this behalf expended, without wagging of law of his demand, or having esloin as afore is said.

III. Provided always, That every knight, citizen, and burgeis to come to any parliament hereafter to be holden, in due form chosen and not returned as afore is said, shall begin his action of debt aforesaid within three months after the same parliament commenced, to proceed in the same suit effectually without fraud; (2) and if he so do not, another that will sue shall have the said action of debt (as it is before said) and shall recover the same sum with his costs spent in this behalf, in manner and form a-

At what time of the day the knights for the shire shall be chosen.

Suits to be commenced within three months after the parliament begun.

The penalty if any chosen to be knight, citizen, or burges, be put out, and another put in his place.

foresaid, so that no defendant in such action shall wage his law, nor be essoined in any wife, as afore is said. (3) And if any knight, citizen, or burges, hereafter returned by the sheriff to come to the parliament in the manner aforesaid, after such return, be by any person put out, and another put in his place, that such person so put in the place of him which is out, if he take upon him to be knight, citizen, or burges, at any parliament in time to come, shall forfeit to the King an hundred pounds, and an hundred pounds to the knight, citizen, or burges so returned by the sheriff, and after, as afore is said, put out. (4) And that the knight, citizen, or burges which is so put out shall have an action of debt of the same C li. against such person put in his place, his executors, or administrators; (5) provided always, That he shall begin his suit within three months after the parliament commenced; (6) and if he do not, then he that will sue shall have an action of debt of the same C li. against him which is put in place of him that is so put out after such return, his executors, or administrators, and that no defendant in such action shall wage his law nor be essoined; (7) and that such process shall be in the actions aforesaid, as in a writ of trespass done against the peace at the common law; (8) so that the knights of the shires for the parliament hereafter to be chosen, shall be notable knights of the same counties for the which they shall be chosen, or otherwise such notable esquires, gentlemen of the same counties, as shall be able to be knights; (9) and no man to be

retourne per aucun persone soit ouste, & un autre mys en son lieu; que tiel persone issint mys en le lieu cestuy qui est ouste, sil accepte sur luy destre chivaler, citezein, ou burgeois a aucun parlement en temps avenir, forsaice devers le Roy C. li. & C. li. al chivaler, citezein, ou burgeois, issint retourne per le viscount, & apres come devaunt est dit ouste. Et que cest chivaler, citezein, ou burgeois, qui est issint ouste, avera action de dette dez mesmez C. li. vers tiel persone issint mys en son lieu, sez executours ou administratours. Purveu toutz foitz, que il commence sa suite deinz trois moys apres le parlement commence; & si il ne face, que celui qui voet fuer avera action de dette dez mesmez lez C. li. envers cestuy qui est mys en le lieu cestuy qui est issint apres tiel retourne ouste, sez executors ou administratours. Et que null defendaut en tiel action gagera sa ley, ne soit essoin, & que autiel processe soit en les actions avautditz, come est en brieve de trespas fait encountre la peas de la commune ley. Issint que lez chivalers dez counteez pur le parlement enapres a esliers soient notablez chivalers dez mesmez lez counteez, pur lez queux ils serront issint essuz, ou autrement tielz notablez esquiers, gentils hommez del nativitee, dez mesmez lez counteez, come soient ablez destre chivalers, et null homme destre tiel chivaler qui estoise en la degree de vadlet & desouth.

What sort of persons shall be chosen knights of the shires.

be such knight which standeth in the degree of a yeoman, and under.

C A P. XVI.

The duty of a gauger, and when he shall have his gauge penny.

ITEM le Roi ad ordeigne & purveu per lauctorite suisdit, que le denier que est appelle le gauge peny ne soit paie a le gaugeour, ne a aucun autre en son noute tanqe il ou son deutee eit gauge lez vinez, & adonques luy de prendre & recevoir son denier pur ceo, en gree, saunz plus encrece ou avauntage pur ceo claymer. Et auxint qil soit prest, ou son deutee, de faire loffice de gaugeour en toutz lieux, quant il a ceo per la partie soit requis; & ceo destre observez per mye tout le roialme du Roi, sur la peyne comprise en lestatut fait lan xxvj, du Roy *Edward* le tierce, de gaugier dez vinez rouge & blanc, duement estre execut.

ITEM, the King hath ordained and established by the authority aforesaid, That the penny, which is called the gauge penny, shall not be paid to the gauger, nor to any other in his name, until he or his deputies have gauged the wines, and then he to take and receive his penny for the same in gree, without more increase or advantage to claim for it; (2) and also that he or his deputy be ready to do the office of gauger in all places, when he to that by the party shall be required; (3) and that to be observed through all the realm of *England*, upon the pain comprised in the statute made the seven and twentieth year of the noble King *Edward* the Third, of the gauging of red wine and white wine, duly to be executed.

When the gauge penny shall be paid to the gauger.

27 Ed. 3. c. 8.
28 H. 8. c. 14.

C A P. XVII.

When and where an escheator shall take his inquest of office, and his fee.

ITEM ordeigne est per lauctorite suisdit, que chescune eschetour preigne sez enquestez doffice per vertue dez briefez de diem clausit extremum, & toutz autres briefs, deinz le mois apres la delivraunce dautielx briefs, & auxint que toutz autielz inquisitions soient prisez en bonez villez, & lieux overtez: & que nulle de eux preigne, privement ne appiert, per luy ne per autre, ne per aucune mesme persone, pur lexeuction des ascunes tielx briefs en un counte, ne per loccaſion de

ITEM, it is ordained, by authority aforesaid, That every escheator shall take his inquests of office by virtue of the writs of *Diem clausit extremum*, and all other writs, within what time and where an escheator shall take his inquests of office. (2) and also that all such inquisitions shall be taken in good towns and open places; (3) and that none of them shall take privily nor openly by him, nor by any person, for the execution of any such writs in one county, nor by the occasion thereof, above the sum

34 Ed. 3. c. 13.
1 H. 8. c. 8.
Within what time and where an escheator shall take his inquests of office.

An efcheator's fee for finding of an office.

sum of fix shillings and eight pence, or thirteen shillings and four pence, or above, where his labour and his costs shall require it, so that the sum which he so shall take do not exceed in the whole the sum of forty shillings, for the execution of any such writ in one county; (4) and if any escheator do contrary to any of the premises, that then he shall forfeit the sum of forty pound.

Leases shall be made to those which do tender a traverse to an office.
36 Ed. 3. c. 13.
8 H. 6. c. 16.
18 H. 6. c. 6.

II. And if any man traverse an office taken before any escheator or commissioner, and thereof hath a *Scire facias* against any patentee, that in this case no protection shall be allowed, nor allowable; (2) and as to any grant or lease to be made to any person which shall traverse any such office, that the statute in that case, before this time made, shall be duly observed: (3) and that the King shall have the half of the said forfeiture of forty pounds, and the party which in this behalf will sue for the King and himself, shall have the other half of the same.

de ceo, oustre la somme de vi s. viij d. ou xiiij s. iiij d. ou desous l'ou son labour & fez costages ceo demaundereit, issint que la somme qil autiellement prendra nexceda en tout la somme de xl s. pur lez executions dascune tiel brief en un countee. Et si ascune eschetour face le contrarie dascune de lez premiffes, que adonques il forface la somme de xli. Auxint que si ascune homme traverse ascune office prise devaunt ascun eschetour ou commissioner, & dent eit ascun Scire facias envers ascun patentee, que en cell case null protection soit allowe ne allowable. Et quant a ascun graunt ou leez a faire a ascune persone qui traversa ascun tiel office, que lestatutz en tiel cas devaunt cest estatut faitz soient duement observez; & que le Roi eit moite de la dit forfaiture de xl li. & que la partie qui en cest partie voet fuer pur le Roi & luy mesmes eit lautre moite dicelle.

C A P. XVIII.

No new impositions shall be laid upon them which buy wines in Gascony or Guyen, by the King's officers in those parts, upon pain of forfeiture of twenty pounds, and treble damages.

Ex edit. Rast.

Wines.

Gascony.

ITEM, the King considering how divers complaints have been made before this time, by divers of his lieges merchants repairing to the parts of *Gasconie* and *Guyen*, how that now of late they have been suffered to buy wines of the growing of the high country in such time as they were wont to be made: and also how there be divers new impositions demanded and levied of his said lieges merchants repairing to the said parts, otherwise than hath been used of old time to be demanded and levied: to the great damage of the same merchants, and great loss and hindrance of all his faithful liege people, hath ordained by the authority aforesaid, that all his said merchants, repairing to the said parts of *Gascony* and *Guyen*, may freely hereafter buy the wines there of the high country in all such times, and in all such

ſuch liberties, as they have uſed to buy them xx or xxx years paſt, without any other new impoſition or charge to be put upon them. And that if any of the King's officers in the ſaid parts, or any other perſon diſturb, vex, or grieve, or do to be diſturbed, vexed, or grieved, any of the ſaid merchants, or liege people of our ſovereign lord the King, or do to be levied of any of them any new impoſitions, contrary to this ordinance: he to forfeit as oftentimes as he offendeth, to the party grieved xx pound over his treble damages to be paid to him, the one half of the ſame forfeiture of twenty pounds to be paid to the uſe of our ſovereign lord the King, and the other part to the party grieved, or to him which in his default and negligence will ſue for our ſovereign lord the King in this behalf.

Statutes made at St. Edmundsbury, Anno 25 HEN.
VI. and Anno Dom. 1447.

All ſtatutes made againſt Welchmen confirmed. All grants of markets and fairs to any Welchman ſhall be void. The King's villains in North Wales ſhall be conſtrained to ſuch labour as they have done before.

OUR ſovereign lord the King, at his parliament holden at St. Edmundsbury, in the feaſt of St Scolaſt, that is to ſay the x. day of February, the xxv. year of his reign, by the advice and aſſent of the lords ſpiritual and temporal, and the commons of his realm in the ſaid parliament aſſembled, and by authority of the ſame parliament, hath approved, ratified, and affirmed all manner of ſtatutes made in any parliament againſt *Welchmen* before this time not repealed. And moreover hath ordained by the authority aforeſaid, That all grants of franchises, markets, fairs, and other liberties to buy or to ſell, to bake or to brew, and to ſell within the towns of *North Wales* made to any *Welchman* before this time, ſhall be void and of no value. And that all the villains of our ſovereign lord the King within *North Wales* ſhall be bound and conſtrained to do ſuch labours and ſervices, as they of right have uſed to do of old time, notwithstanding any grant made to them, or any uſage uſed by them of a later time to the contrary. And that ſuch officers ſhall have power to compel them to do ſuch labours and ſervices, as they have uſed to compel them before this time lawfully.

27 H. 8. c. 26.
Repealed by
21 Jac. 1. c. 28.

Statutes made at Weſtmiſter, Anno 27 HEN. VI.
and Anno Dom. 1448.

AU parlement tenuz a Westm' le xij. jour de Febr' AT the parliament holden at Westminster the twelfth day

day of February, the ſeven and twentieth year of the reign of our lord King Henry the Sixth after the conqueſt, the ſame our lord the King, by advice and aſſent of the lords ſpiritual and temporal, and the commons being in the ſame parliament, hath ordained and eſta- bliſhed divers ordinances and ſta- tutes in manner and form follow- ing.

Febr' lan du reigne noſtre ſei- gnur le Roy Henry vje apres le conqueſt xxviſe meſme noſ- tre ſeignur le Roy de ladvis & aſſent des ſeignurs eſpirituell & temporell & lez communes eſteantz en le dit parlement & par auctorite de meſme le par- lement ad fait ordener & eſta- blier diverſes ordinances & e- ſtatutes en lez manere & four- me enſuantz.

C A P. I.

If woollen cloths manuſactured in England ſhall be prohibited in Brabant, Holland, and Zealand, then no merchan- diſe growing or wrought there within the dominion of the duke of Burgoin ſhall come into England upon pain of forfeiture.

Ex edit. Raſt.

**Woolen
cloths.**

Cloth makers.

FIRST, forasmuch as a certain ordinance hath been pro- claimed, published, and ſtrictly kept in the parts of *Brabant, Holland, and Zealand*, that no manner of woollen cloths, made in this realm of *England*, ſhall not come into the ſaid parts, there to be ſold in any wiſe, upon pain of forfeiture of the ſame cloths, wherefore the King our ſovereign lord, becauſe that it is expreſſly againſt the truce and appointments made and taken betwixt his realms, lands and ſubjects of the one party, and the lands which the duke of *Burgoin* doth hold and occupy of the other party, many times before this time hath made his letters of request to be written, and ſent his meſſage for due reformation to be had in this behalf, whereof no due remedy is yet had, to the intolerable damage of all the commons of this realm, becauſe that many clothmakers, that is to ſay, men, weavers, fullers and dyers, and women webſters, carders, ſpin- ners, and other buyers and ſellers of the ſame, ſuch as do know none other occupations, of very neceſſity be conſtrained for their living to do the ſame occupations, and ſome of them live idly, which provoketh them to ſin and evil life: the King conſider- ing the premiſſes, hath ordained by the authority aforeſaid, That unleſs due continual reformation be made in the ſaid parts of *Brabant, Holland and Zealand*, of the ſaid ordinance, betwixt this and the feaſt of *St. Michael* next coming, ſo that all manner of woollen cloths made in this realm of *England* may come and be accepted in the ſame parts of *Holland, Brabant and Zealand*, there to be uttered and ſold as ſpeedily as any other merchan- diſes, that then for default of ſuch reformation in this behalf no manner of merchandiſes nor goods of the growing or workman- ſhip of the lands and parts, which the ſaid duke holdeth and oc- cupieth, ſhall come in the ſaid realm of *England* after the ſaid feaſt, upon pain of forfeiture of the merchandiſes ſo brought into

into this realm, that is to say, the one half to our sovereign lord the King, and the other half thereof to him which first shall seise the said merchandises, in whose hands soever they shall be found. And that open proclamation shall be made upon that betwixt this and the xv. day of July next coming, within the city of London and other places necessary and convenient to the same. And if any suit be commenced hereafter because of any such seizing, in which any issue concerning this act shall be taken, that the said issue shall be tried in the county where the said seizing is had, and in none other place, this ordinance to endure but till the next parliament.

Confirmed for
seven years by
28 H. 6. c. 1.
vide 4 Ed. 4.
c. 5.

C A P. II.

No licence shall be available to carry wools, fells, or tin to any place out of the realm, but to Calais.

ITEM, forasmuch as King Edward the Third, by great deliberation ordained his whole staple of wools, woolfels, and other merchandises to be at Calais, for the weal and profit of his realm, and safeguard of the said town, and by the great liberties and franchises given to merchants thither repairing, after that many years came great revenues to him and to his successors, as it appeareth of record in the King's exchequer, that is to say, in every year of his reign lxviii. M. li. and more, and so continued many years, at which time great riches came into this realm of England by the mean of merchants of the said staple then being many in number and of great riches, good justice and law had betwixt party and party, and by them well executed, the said town of Calais, and the marches were well repaired, and soldiars paid of their wages, although that maintenance by divers and many licences given by letters patents, and by misusing of the said licences in buying of wools and woolfels in other places than their licence containeth, in shipping great number and weight, and colouring the same by new contrived names, as morling and shorling: and some persons which according to their licence ought to have carried their wools over the mountains, have sold the same in Brabant, and in other places, to such men which were wont to be accustomed to buy their wools at the staple of Calais, and also by great stealing out of wools and woolfels not customed in divers parts of England, of Ireland, and of Wales, oftentimes by the consent and mean of unlawful officers as searchers and surveyors, which take no fee, but privy rewards for doing wrong to the King, and by divers restraints of merchandises in Calais, as well by wars as by soldiars for their wages, and many other causes, in which the merchants of the said staple be not of ability nor power to enjoy their liberties and franchises of old time used and accustomed; now it is so, that by the means aforesaid, and by the breaking of such staples, the customs and subsidies of the merchandises repairing to the said staple of Calais pass not yearly xij. M. pound, which is but little in comparison to that that they have been heretofore, the commons of this land not enriched by their

Wools, wool,
fells, &c.

wools and woolfels, and other merchandifes, as they were wont to be, the merchants greatly minifhed as well in number as in goods, and not of power nor of comfort to buy the wools and woolfels, and other merchandifes as they have done of old time, the foldiers of *Calais* and of the marches there not paid of their wages, the town of *Calais* by default of reparation, as well within the town-walls, towers and caftles, as without the town, of dykes, cliffs, fluices, banks, and other reparations, which fhould be made for defence of the town and of the water without, likely to be deftroyed (which God defend) except that remedy be haftily provided: our faid fovereign lord the King, confidering the premiffes, hath ordained and eftablifhed by authority aforefaid, That the mayor, conftables, and company of merchants of the ftaple of *Calais* for the time being, and their fucceffors for ever, may have and enjoy all their franchifes and liberties and every of them, and whole repair of all manner of merchandifes to the faid ftaple, by the faid King or by his noble progenitors to them or to their predeceffors or any of them, by the authority of parliament granted or confirmed, not repealed nor excepted. And that the faid mayor, conftables, and their fucceffors, may by themfelves or by their officers and minifters, do execution of all manner of things and matters, the knowledge whereof to them pertaineth, as well within the town of *Calais* as without the town, in the precinct pertaining to the fame, called the Skyvynage, any commandment, writing or any other thing made or to be made to the contrary notwithstanding. Provided always, That by this act no man fhall be excluded of his lawful fuit by writ of error, of any judgment given before the faid mayor and conftables: nor the chancellor of *England* and the King's council fhall not be excluded to redrefs the defaults of the faid mayor and conftables, after the form of the ftatute made the xxvii. year of the reign of King *Edward* the Third. And that no manner of licence for fhipping of wools and woolfels, or of tin granted to any perfon or perfons, fhall be effectual nor available to him or to them, to carry or bring any fuch wools, woolfels, or tin, out of this realm of *England*, *Ireland*, or *Wales*, to any other place than to the faid ftaple of *Calais*. And that all manner of licences by our faid fovereign lord the King, or any of his heirs or fucceffors, to any perfon or perfons to be granted of or for wools, woolfels, or tin, to be had, cartied, or fhipped out of this realm of *England*, *Ireland*, or *Wales*, or any other place than to the faid ftaple; fhall be void and of none effect. And that every perfon or perfons, which fhall accept, obtain, and put in execution any fuch licence, or he or they to whole ufe any fuch licence is or fhall be granted and had, and by them, or by any other by their agreement or confent put in execution, fhall be out of the King's proteftion, and moreover, that it fhall be lawful to the faid mayor, conftables, and company of merchants of the faid ftaple, and to their fucceffors for ever, to have and purfue an action upon this ftatute againft every perfon or perfons, which

Licence.

(hall

shall offend contrary to this ordinance, and to have such process in the same as is provided in the *Premunire facias*, or such process as by the law is in an action of trespass done against the King's peace at their election. And if any person or persons at their suit upon the same be convicted or attainted, that the same mayor, constables, and company of merchants shall have judgment to recover all the moveable goods and chattels, that any such person or persons so convicted or attainted had, the day of putting in execution of any such licence, or at the time of the said judgment given, or at any time betwixt the putting in execution of any such licence, or at the time of the foresaid judgment given, or to the value thereof, at the election of the plaintiffs in the same action: whereof the two parts of the goods and chattels so recovered and had in execution, or the value thereof, shall be employed for reparations of gutters, sluices, and banks at *Calais* aforesaid, by the surveying of the master of the said works there for the time being, and the third part thereof shall remain to the mayor, constables, and company aforesaid. Provided always, That the said action be had and commenced within the county where such licence shall be put in execution. And if any such licence be put in execution in *Ireland* or *Wales*, that then the suit shall be commenced in the county within *England* next adjoining to the place where such licence shall be put in execution in *Ireland* or *Wales*. And moreover, That every person or persons, which shall ship, or bring or do to be shipped or carried any wools, woollens, or tin out of this realm, *Ireland*, or *Wales*, by colour of any licence, or otherwise, and then to put to sale in any other part or place out of the said realm of *England*, *Ireland*, or *Wales*, than to the said staple of *Calais*, unless the ship, in which the said wools, woollens, or tin should be perished, and may not be brought to the said staple, and thereof be attainted or convicted at the suit of the said mayor, constable and company of merchants of the said staple, by such action and process grounded upon this act, as it is afore rehearsed, the same action to be taken in the county where the said wools, woollens, or tin be shipped or carried out, that he shall forfeit all his goods and chattels, to be employed and had in the form aforesaid. And if any wools, woollens, or tin, from henceforth be carried or shipped to be had out of this realm of *England*, *Ireland*, or *Wales*, to any other place out of *England*, *Ireland*, or *Wales*, than to the said staple by force of any licence, that then it shall be lawful to every person, being the King's liege-man, to seize the said wools, woollens, and tin, and then keep to his own use after such seizing. And that every customer, comptroller, searcher, and surveyor, which by his knowledge shall suffer or admit any wools, woollens, or tin to be shipped within any port, creek, haven, or any other place where they be officers, or any other port or place than to the said staple as afore is said, by force of any licence, or by colour thereof, by force of any writ or other commandment, in affirming or approving of any such licence to them to be directed, or

Mayor of the
staple.

Customer.
Comptroller.
Searcher.

willingly fuffer any fuch merchandifes to pafs out of this realm, not cuftomed or not weighed at the King's beam, fuch of them which ought to be weighed, fhall incur the pain and forfeiture aforefaid. And he or they fhall be reputed and judged in like cafe, as he which executeth any fuch licence to any other place than to the faid ftaple, after that he thereof fhall be convicted at the fuit of him which in this cafe will fue. And that it fhall be lawful to every perfon being the King's fubject and liege-man, that in fuch cafe will purfue, to have fuch action againft the faid cuftomers, comptrollers, fearchers, andurveyors, as is provided againft fuch perfons which fhall put in execution any fuch licence, as afore is faid. And that all manner of thing done contrary to the ordinance of this ftatute, as well within this realm as without, not triable by matter of record, fhall be put in iffue, and be triable by inqueft in the fame county and vifne, where the faid action fhall be taken. Provided always, That all manner of licences for wool and tin to pafs by the ftreights of *Marrock*, fhipped in gallies or carracks for paying cuftoms and fubfidies as aliens do or fhall do, fhall be only except. Provided alfo, That this act fhall not extend, nor fhall be prejudicial to the licence granted by our faid fovereign lord the King by his letters patents, bearing date the xxiiij. day of *July*, the xxvi. year of his reign, to our lady the queen his companion, to fhipe and carry by her, her deputies, affigns, or creditors, wools, woolfels, and tin, after the form and effect of the faid letters patents, fo that the faid wools, woolfels, and tin, and every of them fhall be and be fhipped in galley or gallies, carack or caracks, and carried by the ftreights of *Marrock*. Provided alfo, That this act fhall not extend to be prejudicial to the licence granted by our fovereign lord the King by his letters patents, bearing date the firft day of *July* the xxiiij. year of his reign to the duke of *Suffolk*, by the name of *William* marquis and earl of *Suffolk*, to fhipe and carry by him, his deputies or attornies, two thoufand facks of wool, of the growing of the county of *Norfolk*, after the form and effect of the fame letters patents. And that open proclamation of this ordinance fhall be made in every town where the county courts be holden, every port, haven, and market town next adjoining to the faid ports, by the fheriff of every county or his deputy, once every month by the fpace of half a year next after this ordinance made, after this act fent againft them by writ of record, upon pain of xx li. to be forfeit to the King, if the faid proclamation be not duly executed. Provided always, That this grant or ordinance fhall not extend to the prior and convent of *St. John of Bridlington* and his fucceffor, which have licence by the King's letters patents made to them the ix. of *November*, the xxvi. year of his reign, to fhipe, carry, or bring their wools to the number xii. farplers, containing xxx. facks or with'in, to other places or ports beyond the fea, than to the faid ftaple of *Calais*. Provided alfo, That this grant or ordinance fhall not extend to grants feverally made to *Thomas Walsingham*, *Thomas Browne*, and to *John Pennycock*, efquires,

by

by the letters patents of our sovereign lord the King before this time, to ship, carry, or bring certain wools to other places or ports beyond the sea than to the said staple of *Calais*, but that they shall be clearly except of this ordinance. And that this ordinance shall begin at the feast of the nativity of St. *John the Baptist* next coming, and shall endure till the end of five years next following.

C A P. III.

Merchants aliens shall bestow all their money upon other merchandises, and carry forth no gold or silver, upon pain of forfeiture thereof.

ITEM, where it is ordained by a statute made in the fourth year of King *Henry* the Fourth, noble progenitor of our sovereign lord the King that now is, that all merchants aliens, strangers and denizens, that bring any merchandises into this realm of *England*, and them sell within the said realm of *England*, should put all the money for the said merchandises, received or to be received, to be employed for other merchandises of *England*, to carry out of this realm, without bearing away with them any gold or silver in coin, plate, or mass, out of the said realm, upon pain of forfeiture of the same: which notwithstanding, divers merchants aliens, strangers and denizens, daily in divers ports, havens, creeks, and other places within the said realm, bring in wheat, corn, and other merchandises and victual, for the which they receive gold and silver, and the same carry with them out of the said realm, without any employment of the said gold and silver upon any merchandises of this realm, in great damage and impoverishment of this realm, and minishing of the King's coin, in default of due search had of customers, comptrollers, and searchers, having power and authority to do their offices to be executed: our said sovereign lord the King, considering the premises, hath ordained by the authority aforesaid, That if any merchants, aliens and strangers, bring, bear, or carry any wheat, corn, or any other merchandises or victual in any haven, port, or creek, or other places of this said realm, that the mayors, bailiffs, portereses, customers, comptrollers, searchers, or other officers there of the said port, haven, or creek, or other places, and every of them, shall have full authority and power to arrest and seize all ships, barges, and other vessels charged and freighted with wheat, corn, or any other merchandises or victual, so brought into this realm of any country out of this realm, to sell and to take sufficient surety of all the said merchants aliens and strangers, for the said wheat, corn, or other merchandises and victual so brought by the said merchants aliens and strangers coming and repairing to the said ports, havens, and creeks, and other places of this said realm. And that the money which shall be taken or received for the said wheat, corn, and other merchandises or victual shall be employed upon the merchandises and commodities of this realm without fraud, subtilty, or male-engine. And if any gold or silver

Ex edit. Raff.
Inst. 51.
H. 4. c. 15.
H. 4. c. 9.
H. 7. c. 8.

Gold.
Silver.
Plate.

silver in coin, plate, or mass, by merchants aliens, strangers or denizens be carried out of this realm, taken or received for wheat, corn, or any other merchandises or victual, to be brought into this realm of any other country out of this realm, contrary to this ordinance afore recited, that it shall be lawful to every person to pursue an action of debt against all such customers, comptrollers, and searchers, and every of them, in whose knowledge and default against their office, any such gold or silver in coin, plate, or mass, is had and carried out of this realm, to be pursued in such counties where such wheat, corn, or any other merchandise or victual is brought and put to sale, and in the said action shall make his demand of a sum amounting to the value of the said wheat, corn, merchandise, or victual. And that the parties or party, which is so sued, and first appeareth, shall be put to answer in the said action, and shall not wage his law in the said action, nor escoin nor protection shall be in the same action for him or for any of them allowed. Provided always, That this ordinance shall begin and shall be in his force in the xv. of *Easter* next ensuing, and shall endure till the next parliament. And that proclamation thereof be made before the said xv. in all parts of this realm, where any wheat, corn, or other merchandises or victual be or shall be brought into this realm, from any country out of this realm.

C A P. IV.

A rehearsal and confirmation for three years of the statute of 26 Hen. VI. cap. 3. provided against Welshmen that take any Englishmen, their goods and chattels, and carry them into Wales.

Wales.

ITEM, whereas at the grievous complaint of the commons of the counties of *Hereford*, *Gloucester*, and *Shropshire*, which be adjoining to the marches of *Wales*, and of the commons of the counties of *Somerset*, *Bristol*, and *Chester*, at the parliament holden at *Westminster* the xx year of the reign of our sovereign lord the King that now is, it was ordained by authority of the said parliament, That if any people of the said counties, their goods and chattels were wrongfully taken in any of the said counties by any men of *Wales*, and out of the said counties into *Wales*, or into the marches of *Wales* conveyed, carried, or brought, or retained, that such taking or takings, receipts, abettments, or withholding of such offences aforesaid, shall be judged high treason, and whosoever thereof shall be attainted, shall be taken and judged as traitors to our sovereign lord the King. And that the justices of peace in their sessions in the said counties, shall have power to enquire, and there to determine of all such offenders, their abettors and receivers, and to make process against the persons so indicted by ii. *Capias* and an *Exigent*, every *Capias* containing the space of two months betwixt the date thereof and the return of the same. And that mention shall be made in the said writs of *Capias*, that the

Treason.

the sheriff of the counties for the time being shall make proclamation in their counties, that they so indicted shall appear before the said justices in their sessions, to answer to the matters contained in the said indictment: Provided always, That the lords marchers, of whom such offenders, their abettors and receivers shall hold their land and tenements, shall have the forfeiture thereof, and also the forfeiture of their goods and chattels found within their seignories, after that they shall be attainted of such offences, which ordinance should endure but for vi. years then next ensuing: our said sovereign lord the King, at the request of the commons of the said counties, by the advice and assent aforesaid, will, That the said ordinance made in the said parliament holden at *Westminster* the said twentieth year of his said reign, for such wrongful taking, shall endure for six years, and shall take effect and be in his force till the next parliament, and then to expire.

CAP. V.

Certain days wherein fairs and markets ought not to be kept.

ITEM consideratis abominabilibus injuriis & offensis omnipotenti Deo nostro sanctisque suis nostris semper in necessitatibus adiutoribus & succurseribus singularibus causa feriarum & mercatorum super eorum summa principalia festa veluti in festo Ascensionis domini de corporis Christi die Pentecostes die Dominica sancte Trinitatis cum aliis diebus Dominicis Ac etiam in summo festo Assumptionis beate Marie die omnium sanctorum & in die Parasceves consuetudinaliter & miserrime in regno Anglie tentorum & usitatorum factis & perpetratis in quibus principalibus festivalibus quo diebus pro magna cupiditate terrena populus voluntarie plus vexatus & in labore corporali deturbatus existit quam aliis diebus ferialibus videlicet in infigendo & faciendo bothas & stallas portando & vehendo levando & collocando mercimonia sua extrorsum & domorsum quasi nichil habentes

ITEM, considering the abominable injuries and offences done to Almighty God, and to his Saints, always aiders and singular assisters in our necessities, because of fairs and markets upon their high and principal feasts, as in the feast of the Ascension of our Lord, in the day of Corpus Christi, in the day of Whitsunday, in Trinity-Sunday, with other Sundays, and also in the high feast of the Assumption of our blessed Lady, the day of All-Saints, and on Good-Friday, accustomed and miserably bolden and used in the realm of England; in which principal and festival days, for great earthly covetise, the people is more willingly vexed, and in bodily labour foiled, than in other ferial days, as in fastening, and making their booths and stalls, bearing and carrying, lifting and placing their wares outward and homeward, as though they did nothing remember the horrible defiling of their souls in buying and selling, with many deceitful lies and false perjury, with drunk-

drunkennes and ſtriſes, and ſo ſpecially withdrawing themſelves and their ſervants from divine ſervice; (2) the foreſaid lord the King, by the advice and aſſent of the lords ſpiritual and temporal, and the commons of this realm of *England*, being in the ſaid parliament, and by authority of the ſame parliament, hath ordained, That all manner of fairs and markets in the ſaid principal feaſts and *Sundays*, and *Good Friday*, ſhall clearly ceaſe from all ſhewing of any goods or merchandiſes (neceſſary victual only except) upon pain of forfeiture of all the goods aforeſaid, ſo ſhewed, to the lord of the franchise or liberty where ſuch goods, contrary to this ordinance, be or ſhall be ſhewed (the four *Sundays* in harveſt except.) (3) Nevertheless, of his ſpecial grace, by authority aforeſaid, granteth to them power, which of old time had no day to hold their fair or market but only upon the feſtival days aforeſaid, to hold by the ſame authority and ſtrength of his old grant, within three days next before the ſaid feaſts, or next after, proclamation firſt made to the ſimple common people, upon which day the aforeſaid fair ſhall be holden, always to be certified, without any fine or fee to be taken to the King's uſe. (4) And they which of old time have by ſpecial grant, ſufficient days before the feaſts aforeſaid, or after, ſhall in like manner as is afore ſaid, hold their fairs and markets the full number of their days, the ſaid feſtival days and *Sundays*, and *Good Fridays*, except.

The penalty
on thoſe who
ſhall keep
fairs or mar-
kets upon
Sundays.

*This exemption
repealed
13 & 14 Hen. 6. 23*

tes in memoria horribilem in-
quinationem animarum ſuarum
in emptione & venditione de-
ceptivis multimodis mendaciis
& falſo perjurio cum ebrietate
& contentionibus & ſpecialiter
ſe ipſos & eorum ſervientes a
divino ſervitio ſubtrahendo
prefatus dominus Rex de avi-
ſamento & aſſenſu dominorum
ſpiritualium & temporalium ac
communitatis regni ſui Anglie
in dicto parlamento exiſtentium
nec non auctoritate ejusdem
parlamenti ordinavit quod om-
nimoda ferie & mercata in dic-
tis principalibus feſtis & diebus
Dominicis ac die Paraſceves
penitus ceſſent ab omnimoda
monſtratione aliquorum bo-
norum vel mercandiſarum
neceſſariis victualibus excep-
tis ſub pena forisfacture om-
nium bonorum predictorum
ſic monſtratorum domino fran-
cheſie ubi hujusmodi bona in
contrarium iſtius ordinationis
ſunt vel erunt monſtrata qua-
tuor diebus dominicis in au-
tumpno exceptis. Nichilomi-
nus ex ſua gratia ſpeciali auc-
toritate ſupradicta concedens
poſteſtatem illis qui ex antiquo
nullum diem ad tenendum ſe-
riam vel mercatum ſuum niſi
ſolummodo ſuper diebus feſti-
valibus predictis habent ad te-
nendum ea auctoritate & vi-
gore antique conceſſionis ſue
infra tres dies prox' ante feſta
predicta vel prox' poſt cum
proclamatione prius facta ad
ſimplicem vulgarem populum
ſuper quem diem feria predicta
tenebitur ſemper certiorand'
abſque aliquo fine ſeu feodo ad
uſum domini regis capiendo.
Et illi qui habent ex antiquo
per ſpecialem conceſſionem dies
ſufficientes ante ſupradicta
feſta

feſta vel poſt plenum numerum dierum ſuorum obſervent conſimili ſupradicto modo ad tenend' ſuas ferias vel mercata dictis diebus feſtivalibus & dominicis ac die Paraſceves exceptis.

Proviſo ſemper quod preſens ordinatio incipiat ſumere effectum ad feſtum ſancti Michaelis proximo futurum & non ante & durabit uſque ad proximum parlamentum & ſic deinde niſi in dicto prox' parlamento allegetur monſtretur & probetur cauſa rationabilis pro qua videbitur non expediens quod ordinatio predicta ſic perdurabit.

II. Provided always, That this preſent ordinance ſhall begin to take effect at the feaſt of St. Michael next coming, and not before, and ſhall endure until the next parliament, and ſo forth, except in the ſaid parliament a reaſonable cauſe be alledged, ſhewed, and proved, for the which it ſhall ſeem not expedient that the foreſaid ordinance ſo ſhall endure.

CAP. VI.

The King's pardon granted to all prieſts, as well ſecular as religious, of ſeveral offences, forfeitures, &c.

ITEM, Forasmuch as in divers parts of the realm of *England*, Ex edit. Raſt. Prieſts. many prieſts, as well ſecular as religious, were grievouſly and wrongfully vexed and troubled by divers indictments of felony, to their great damage, againſt faith and conſcience, for the ſingular lucre of other perſons, and not for the King's profit: our ſaid ſovereign lord the King, conſidering the premiſſes, and for that the clergy being in the laſt convocation, granted to our ſaid ſovereign lord the King a ſubſidy, to be taken and levied of all ſecular prieſts-ſtipendiary, and chantery prieſts within the realm of *England*, that is to ſay, of every prieſt vi. ſhillings and viii. d. by the advice and aſſent and authority aforeſaid, hath pardoned and acquitted all and every prieſt, as well religious as ſecular, of all felonies of rape done before the firſt day of *June*, the xxvii. year of the reign of our ſaid ſovereign lord the King. And alſo hath pardoned and releaſed by the ſame authority to all and every prieſt ſecular, ſtipendiary and annual, all the ſame that to the ſaid our ſovereign lord the King pertaineth or belongeth, by way of forfeiture of every of them before the ſaid firſt day of the month of *June*, becauſe of taking exceſſive wages contrary to the ſtatutes thereof made, and that every of them may have ſufficient writs thereupon for their diſcharge without ſuing any charter.

Statutes made at *Weſtmiſter*, Anno 28 HEN. VI.
and *Anno Dom.* 1449.

AL honneur de Dieu & de ſeint eglise & pur les commune bien & profit de tout le

TO the honour of God and of holy church, and for the common wealth and profit of all the

the realm of England, our lord the King, Henry the sixth after the conquest, by advice and assent of the lords spiritual and temporal, and at the special instance and request of the commons in the parliament assembled of our sovereign lord the King that now is, holden at Westminster the sixth day of November, the eight and twentieth year of his reign, by authority of the same parliament, hath ordained and established certain ordinances and statutes in manner and form following.

le roialme d'Engleterre nostre seigneur le Roy Henry pais le conqueste sime del advis & assent des seignurs espirituelz & temporelz & a les especialz instancer & request des communes assemblez au son parlement tenuz a Westm' le sixme jour de Novembre lan de son reigne xxviij^{me} par l'auctorite de meisme le parlement ad ordeignez & establiez certains estatutz & ordenaunces par manere ce ensuit.

CAP. I.

A rehearsal and confirmation for seven years of the statute of 27 HEN. VI. cap. i. prohibiting the merchandises of Holland, Zealand, and Brabant to be brought into this realm, until English cloth may be sold there.

Ex edit. Rast.
Woolen
cloths.

Cloth-makers.

FIRST, Whereas at his parliament holden at Westminster the xxvii year of his reign, because of a certain ordinance had, proclaimed, published and straightly kept in the parts of Brabant, Holland, and Zealand, that no manner of woolen cloths made in this realm should not come in the said parts, there to be sold in any wise, upon pain of forfeiture of the same cloths, wherefore our said sovereign lord the King, because that it was expressly against the truce and appointment made and taken betwixt his realms, lands and subjects of the one part, and the lands which the duke of Burgoin holdeth and occupieth of the other part, many times before this time made his letters of request to be written, and sent his message for due reformation to be had in this behalf, whereof no due remedy is yet had, to the intolerable damage of all the commons of this realm, because that many clothmakers, that is to say, men weavers, fullers, and driers, and women websters, carders, and spinners, and other buyers and sellers of the same, such which know none other occupation of very necessity be constrained for their living to do these occupations, and some of them live idly, which provoketh them to sin and evil life, and upon this consideration in the said parliament the said xxvii. year it was ordained, That unless due continual reformation were made in the said parts of Brabant, Holland, and Zealand, of the said ordinance, betwixt this time and the feast of Saint Michael then next ensuing, so that all manner of woolen cloths made in this realm may come and be accepted in the same parts of Brabant, Holland, and Zealand, there to be uttered and sold as speedily as any other merchandises: that then for default of such reformation in this behalf, no manner of merchandises nor goods of the growing nor workmanship

manship of the lands and parts, which the said duke holdeth and occupieth, should not come in the said realm after the said feast, upon pain of forfeiture of the same merchandises, that is to say, the one half thereof to the King, and the other half to him which first shall seise the said merchandises, in whose hands so ever that they shall be found, and that thereupon open proclamation shall be made betwixt this time and the xv. day of July then next ensuing, within the city of *London*, and other places necessary and convenient to the same. And if any suit be commenced after this time because of any such seisure, in which any issue concerning this ordinance shall be taken, that the said issue shall be tried in the counties where the said seisure shall be had, and in none other place, which ordinance should have endured till the next parliament. And forasmuch as by the summons and commencement of this present parliament, the said ordinance shall be fully expired and determined, no due reformation on the behalf of the said duke of *Burgoin* of the premisses yet had, our said sovereign lord the King, considering the premisses, by the advice, assent and authority aforesaid, hath ordained and stablished, That open proclamation shall be made in the city of *London* and other places necessary and convenient for the same, betwixt this and the feast of *St. Peter* called *ad Vincula* next coming, that unless due continual reformation be made and had in the said parts of *Brabant*, *Holland*, and *Zealand*, betwixt that and the feast of *St. Michael* then next ensuing, so that all manner of woollen cloths made in this realm of *England*, may come and be accepted in the same parts of *Brabant*, *Holland*, and *Zealand* there to be uttered and sold, as speedily as any other merchandises, that then for default of such reformation in this behalf, no manner of merchandises nor goods of the growing nor workmanship of the lands and parts, which the said duke holdeth and occupieth, shall come into this realm after the said feast of *Saint Michael*, upon pain of forfeiture of the merchandises, that is to say, the one half thereof to the King, and the other half to him which first shall seise the said merchandises, in whose hands so ever they shall be found. And if any suit be commenced hereafter because of any such seisure, in which any issue concerning this ordinance shall be taken, that the said issue shall be tried in the county where the said seisure is had, and in none other place. And that this ordinance shall endure for vii. years, if due reformation be not made within that time. Merchandises

CAP. II.

The penalty for taking any persons horses or cart without the delivery of the owner, or some officer, or for taking money to spare them.

ITEM, Whereas divers hostlers, brewers, and other victual- Ex edit. Pult.
lers, keeping hostleries and other houses of retailing of victuals in divers places in this realm, have purchased the King's letters patents, some to them for term of life, and some to them and to other jointly for term of their lives, to take horses and carts for the

the carriage of the King and Queen, more for their private and singular lucre and profit, than for any faithful service of the King, or of the Queen : by colour of which letters patents they daily take horses and carts where that no need is, and bring them to their hosteries and other places of their affinity, and there keep them secretly sometime, until they have spent xx d. or xl d. of their stuff, and sometime more, and then they make the owners of the said horses and carts to pay for the same before that they can get delivery of their horses and carts, and some till they have made a fine with them for such horses and carts at their will : and of some of the King's people they take fines to shew favour, and not to take their horses and carts ; so that divers persons of the King's liege people in this noble realm, be greatly indamaged by the said takers, as well for the non-payment of the hire of the said horses and carts, as for the great charge they have for their meat, and fines made for their delivery after they be so taken : (2) our said lord the King by the advice and assent aforesaid, hath ordained and stablished, That all such letters patents, granted to any person or persons holding any hosteries, brewhouses, or house of retailing of victual, shall be void, and of no value nor effect ; and if any such grant be made to any such person or persons from henceforth, that all such patents so granted shall be void and of none effect. (3) And that no person or persons shall take horse or cart in any place within this realm, but by the delivery of the mayor, sheriff, bailiffs or constable where such taking shall be had. (4) And if any such person or persons take any horse or cart of any person or persons, without agreement made to the possessor for the same, and by the delivery of the mayor, sheriff, bailiff or constable where such taking shall be had, that then he or they from whom such horse or cart is taken, and he or they of whom such fines or payments be taken, as is afore rehearsed, shall have an action of trespass at the common law for such takings. (5) And that he or they that feeleth himself grieved in such action, shall recover treble damages against him or them which so take any horse or cart, fines or payment, contrary to this ordinance ; (6) saving always to the King his prerogative and his pre-eminence of and in the premises.

The penalty for taking any horse and cart without the delivery of the owner and some officer.

3 Ed. 1. c. 32.
21 R. 2. c. 5.

C A P. III.

The King's pardon to those that were sheriffs or clerks the last year before, for occupying their places above one year, contrary to the statute of 23 Hen. VI. c. 8.

Ex edit. Rast.
Sheriffs.

IT E M, By advice, assent, and authority aforesaid, it is ordained and granted, That the sheriffs and under-sheriffs, clerks, and every of them, which were for the year last passed, shall be quit and discharged against our said sovereign lord the King and all his liege people, of the penalties and forfeitures of CC. li. which they or any of them might fall in or incur by force of the statute made the xxiii. year of our said sovereign lord the King, as for the occupation or exercise of the office of sheriff longer than by a year, from the day next after the day of

All souls, in the xxvii. year of the reign of our said sovereign lord the King, that now is, till the feast of the purification of our Lady then ensuing, in the eight and twentieth year of our said sovereign lord. Provided always, That by this present ordinance they or none of them shall be excused or discharged of any other offence or thing done by them or any of them in their said offices. Provided also, That none shall be amerced for any suit commenced by him against any person to recover the said penalty, for the longer occupying than by the year, from the day after the said day of *All Souls*, till the said feast of the purification of our Lady.

CAP. IV.

Felony for any Welsh or Lancashire man to take other men, their goods or chattels, under colour of distress, where they have no cause.

ITEM, Whereas divers misruled persons of the counties and seigniories royals in *Wales*, and of the dutchy of *Lancaster*, in the said parts daily take and use to take divers persons, places and chattels in the said counties, dutchy, and seigniories, by the name and under colour of distress, where they have no manner of fee, seigniorie, nor cause to take such distress, but feign some Distress. actions and quarrels to grieve and destroy the faithful people of the said counties, dutchy, and seigniories against law, reason, and conscience, and the aforesaid persons, goods, and chattels so taken, bring and carry out of the counties, dutchy and seigniories aforesaid, where they be taken, to divers other places in *England* and *Wales*: and many times for taking of such distresses, and in resistance of them, great assemblies of people, riots, maims, and murders, be made and had, and if it be not hastily remedied other inconveniencies be like thereof to pursue: of which takings, bringings, and carryings in this behalf no punishment is, wherefore the people of the said parts daily abound and increase in evil governance: our said sovereign lord the King, wil- Felony. ling to remedy the premisses, by advice, assent, and authority aforesaid hath ordained and stablished, That if any person take any goods, chattels, or person in any of the said counties, dutchy, or seigniories, and them bring or carry to any places out of any of the said counties, dutchy or seigniories, in which they be taken, to any other places, that all manner of such takings, bringings, or carryings, shall be had and judged felony: and if any person thereof be duly attainted in any manner, that he shall have execution as a felon should have: and that no manner of person in the said counties, dutchy, or seigniories, nor in none other places in *Wales*, arrested, accused, or indicted of felony in any manner shall be admitted to disclaim out of the said county, dutchy, or seigniorie, where he is so indicted, accused, or arrested. Provided always, That no person shall be indamaged nor grieved by this ordinance, for taking within his fee, or for any manner of cause wherefore distress or taking is lawful by the common law of *England*, this ordinance to endure for five years.

CAP. V.

The penalty of the officers of the customs, which by colour of their offices shall distrain any man's ships or goods.

ITEM, Whereas divers waterbailiffs, searchers, comptrollers of the search, and other their deputies and servants within the ports of this realm, and specially within the ports of Fowey, Plymouth, Dartmouth, and Pool, by colour of their offices daily do wrongfully take, by constraint of distresses and arrests upon the ships, barges, balingers, and other vessels, goods, and merchandises of the King's liege merchants of this said realm, and among all other upon the King's liege merchants of Galcony, Guyen, Ireland, Guernsey and Jersey, in their coming and going in the said ports, great charges and impositions, that is to say, for every piece of croseted ix. d. for every hundred of canvas vi. d. for the weight of every tun of iron xii. d. and sometimes more, and likewise of all other goods and merchants of the said liege people, and other merchandises of the King's amity; (2) and by such wrongful distresses, arrests, charges, and impositions, they do discourage the said merchants freely to come into this said realm, and to return, contrary to all law and conscience, to the great prejudice of our said lord the King, in loss of his customs and subsidies, and to the great damage of the said merchants and their successors, unless due remedy thereof be had in the same; (3) by advice, assent, and authority aforesaid, it is ordained and established, That the said merchants, and their successors, and every of them, of all such injuries, distresses, arrests, charges,

ITEM come diverses baillifs de leues sercheours controulours du serche & autres leur deputees & servauntz dedens les portes de cest roialme & en especial dedens les portes de Fowey Plymouth Dertmouth & Pole par colour de leur offices torceoufment chargeont & priegnoit ore de jour en autre par dureste de distresses & arestes sur les nesh barges ballengers & autres vesseaulx biens & merchaundises des lieges du Roy merchauntz de cest dit roialme et entre toutz autres sur les lieges du dit Roy marohauntz de Galcoigne Guyan Irland Gerneley & Jersey en leur venant & allant en les ditz portz grands chargez & impositions cessavoit par chescun pece de croset cloth iiij. d. pur chescun centz de canvas vj. d. pur pois de chesteun tonell de ferre xij. d. & aucune foitz plus & semblablement de toutz autres biens & merchaundises de les ditz lieges & dautres merchauntz dathitee nostre dit souveraigne seignurie Roy et par tielx enjuriolez distresses arrests charges & impositions empechieent les ditz merchauntz franchiseement & venit en cest dit roialme et & passer encountre toutz leyes & conscience outre toutz custumes & subsidies dues a nostre dit seigneur le Roy en anientement des ses ditz custumes & subsidies & en grand damage & arrerissement de les ditz merchauntz & leur successeurs si non du remede ent ne soit eue par

The remedy when an officer of the customs doth make any distresses or arrest upon any ships for an unlawful cause.

par advis aſſent & auctorite deſſaiditz ordeigneſt eſt & eſtablies qe les ditz merchauntes leur ſuccellours & cheſcun deux de toutz tiels enjuries deſtreſſes areſtes chargez & impositions deſuis recitez affaires a eux ou a aſcun deux ſibien par tielx baillifs del eaus ſerchours & countrollours de ſerche come par collectours des ditz cuſtumes & ſubſidies countrollours de les meſmes ſurveiours des cuſtumes & ſubſidies & du ſerche packers ou aſcuns autres officers leur deputees ou ſervautz par leur commandement ou aſcun deux enapres peußent avoir ſur ceo general brieſ de trespas encountre tielx meſſaiſours & cheſcun deux ſolonc la fourme de ley & a recouverer encountre ceux & cheſcun deux enſi de ceo convictz xl. li' & qe lez ditz merchauntes leur ſuccellours & cheſcun deux enſi grevez come devaut eſt dit purſueront & purſuera le dit brieſ de trespas encountre les ditz meſſaiſours & cheſcun deux de tiels enjuries diſtreſſes areſtes charges & impositions ainſi affaires come devaut eſt dit dedeins deux mois proſchein apres tielx enjuries deſtreſſes areſtes charges & impositions affaires par eux ou aſcun deux come devaut eſt dit et en cas les ditz merchauntes leur ſuccellours ou aſcun deux ne purſuant mie le dit brieſ de trespas de tielx enjuries deſtreſſes areſtes charges & impositions deſſaiditz encountre les ditz meſſaiſours ne null deux dedeins les ditz deux mois qe lors il litta a cheſcun autre perſone de les lieges du Roy a purſuer le dit brieſ de trespas de tielx enjuries diſtreſſes areſtes charges &

ges, and impositions afore recited, to be made to them, or any of them, as well by ſuch waterbaillifs, ſearchers, and comptrollers of the ſearch, as by collectors of the ſaid cuſtoms and ſubſidies, comptrollers of the ſame, ſurveyors of the cuſtoms and ſubſidies, and of the ſearch-packers, or any other officers, or their deputies or ſervants by their commandment, or any of them hereafter, may have thereupon a general writ of trespas againſt ſuch offenders, and every of them, according to the form of the law, and to recover againſt them, and every of them thereof ſo convicted, forty pounds; (4.) and that the ſaid merchants, their ſuccellours, and every of them ſo grieved as afore is ſaid, ſhall purſue the ſaid writ of trespas againſt the ſaid offenders, and every of them for ſuch injuries, diſtreſſes, arreſts, charges, and impositions ſo to be made as afore is ſaid, within two months next after ſuch injuries, diſtreſſes, arreſts, charges and impositions to be made by them or any of them, as before is ſaid; (5.) and in caſe that the ſaid merchants, their ſuccellours, or ſome of them, do not purſue the ſaid writ of trespas of ſuch injuries, diſtreſſes, arreſts, charges, and impositions aforeſaid againſt the ſaid offenders, nor any of them, within the ſaid two months, that then it ſhall be lawful to every other perſon of the King's liege people to purſue the ſaid writ of trespas of ſuch injuries, diſtreſſes, arreſts, charges, and impositions, to be made as is aforeſaid, againſt all ſuch offenders, and every of them, according to the form of the law, and

Ed. 1. c. 26.

and to recover againſt them, and every of them thereof ſo convicted, forty pounds, the King to have the one half, and he or they which will purſue, the other half.

& impositions affaires come devaunt eſt dit encountre toutz tielx meſſaſours & cheſcun deux ſolonc la fourme de ley & a recoverer encountre ceux & cheſcun de ceux enſi dent convicted xl. li.' le Roy davoit

ent lune moitee & il ou ilz qui purſuer vorroient ou vorroient lautre moite.

Statutes made at *Westminster*, Anno 29 HEN. VI.
and *Anno Dom.* 1450.

OUR ſovereign lord King Henry the Sixth after the conquest, at his parliament holden at Westminster in the feast of St. Leonard, the nine and twentieth year of his reign, by the advice and assent of the lords spiritual and temporal, and at the request of the commons in the same parliament assembled, and by the authority of the same, hath ordained and stablished divers ordinances and statutes in the form which followeth.

NOSTRE ſovereigne ſeigneur le Roy Henry puis le conquēte ſiſme a ſon parlement tenuz a Westminster en le fest de Saint Leonard lan de ſon reign vint noveſme del advis & assent des ſeignurs eſpirituelx & temporelx & a la request des communes en meſme le parlement assemblez & par lauctorite dicell ad ordeignez & establiez diverses ordenaunces & estatutz en la fourme qe enſeute.

CAP. I.

John Cade attainted of treason, and his lands, tenements, &c. given to the King, and his blood corrupt.

Ex edit. Rast.

FIRST, Whereas the false traitor *John Cade*, naming himself *John Mortimer*, late named captain of *Kent*, the vii. day of July, the xxviii year of the reign of our said sovereign lord the King at *Southwark* in the county of *Surry*, and the ix. day of July, the aforesaid year of the reign of our said sovereign lord the King at *Deptford* and *Rochester* in the county of *Kent*, also at the town of *Rochester* aforesaid, and elsewhere, the x. and xi. day of July then next ensuing within the realm of *England*, falsely and traitorously imagined the King's death, destruction and subversion of this realm, in gathering and levying a great number of the King's people, and them exciting to make insurrection against the King falsely and traitorously in the places aforesaid, at the times before recited, against the King's royalty, crown, and his dignity, and there and then made and levied war falsely and traitorously against the King and his highness: and though he be dead and mischieved, yet by the law of the land not punished: our said sovereign lord the King considering the premises, to put such traitors

traitors in fear in time coming, and for faving of himfelf and of his realm, by advice of the lords fpiritual and temporal in the faid parliament affembled, and at the request of his commons, hath ordained by the authority of the faid parliament, That he fhall be of thefe treafons attainted, and that by the fame authority he fhall forfeit to the King all his goods, lands, and tene-ments, rents, and poffeffions, which he had the faid eight day of *July*, or after, and his blood corrupt and difabled for ever, and to be called a falfe traitor within the faid realm for ever.

CAP. II.

A confirmation of the ftatute of 2 Hen. V. ftat. 1. c. 6. ordained againft them which break truces and fafe conduits, and appointing confervators of the fame.

ITEM.—It is ordained and ftablished, That the ftatute made the fecond year of the faid late victorious and noble King *Henry*, father to our fovereign lord the King that now is, of the breakers of truce and fafe conduits upon the main fea and other places, fhall be in his force and confirmed. Joining to the fame, that the chancellor of *England* for the time being, calling to him one of the chief iuftices of the one bench or of the other, fhall have like power as the confervators and other, commiffioners in the fame ftatute fpecified have: faving, where it is contained in the fame ftatute, that if he or they, upon whom complaints fhall be made, do not appear of a certain time, as is there contained, that then a *Copias* and *exigend* fhall be awarded againft him or them, upon whom fuch complaint is made, as well to the fheriff of the county, of the which they be fuppofed to be, as to the fheriff of the faid county, where the faid complaint fhall be made: it is ordained in this prefent parliament, That he fhall award a writ of *Copias* to the fheriff of every of the faid counties, commanding him upon pain of a hundred pounds to make open proclamation in the five counties continually, that the party or parties, upon whom he hath complained fhall appear at a certain day contained in the fame writ, before the faid chancellor, if the complaint of the premiffes be made before him after the form contained in the faid ftatute. And if they appear not at the fame day, that then they fhall be attainted and convict to the party fo complaining of the offences in the faid complaint fpecified. And that the faid party complainant fhall be preferred to have execution before any feifin had for the King in this behalf, notwithstanding that they fo making default be attainted of treafon. And it is ordained, that no perfon, which appeareth upon any fuch complaint or writ to be awarded, fhall incur the pain againft our fovereign lord the King of treafon contained in the faid ftatute. Provided alfo, if any perfon, againft whom fuch writ or proclamation fhall be awarded, be out of this realm by feat of merchandife, or in the King's fervice by his commandment, at the time of the firft proclamation made upon fuch writs, that then the fame perfon fhall not be indamaged by this act, fo that he appear perfonally before the King in his chancery

Truce.
Safe conduits.

Sheriff.

within a month next after his coming into this realm, to answer to such complaints. Provided also, That no owner, victualer, nor setter forth of any ship or vessel, which shall not be party to any such offence, nor procurer, counsellor, nor abettor to the doing thereof, nor knowing nor willingly receiving nor taking any part of the goods so robbed or spoiled upon the sea, shall be indamaged by this act. And that this ordinance shall begin and shall be in his force the first day of this present parliament and not before, and shall endure by five years next ensuing. And that no charter of pardon hereafter to be granted shall be allowable to any person or persons for any offences done contrary to the said statute.

C A P. III.

All letters patents granted to the citizens of York to exempt them from certain offices, shall be void. The penalty of a citizen who shall purchase such exemption.

York.

Letters patents.

ITEM, Whereas great inconveniencies and damages have come now of late in the city of York, and more in time to come be like to happen, if provision thereof be not had: for that divers and certain persons, citizens of the said city, have purchased and gotten of our sovereign lord the King several letters patents, thereby to be exempted of the offices and occupations of mayoralty, sheriff, chamberlain, collector of dismes and quinzismes, and citizen of the said city to come to the parliaments of our sovereign lord the King and his heirs within the said city: our said sovereign lord the King, considering the premisses by advice and assent aforesaid, hath ordained and stablished, That all such letters patents granted or to be granted to any person or persons, now citizens of the said city, or which in time coming shall be made, shall be void, and of none effect. And moreover, That if any citizen of the said city now being, or which in time coming shall be, do purchase, admit, take, or get any such letters patents, thereby to be exempt of any of the offices or occupations aforesaid, within the same city, shall forfeit forty pounds, the one half to our sovereign lord the King, and the other half to the mayor and citizens of the said city and their successors. And that the mayor for the time being and his successors may and might have and maintain an action of debt, to demand the said forty pounds against every of the said person or persons, purchasing, admitting, taking or getting such letters patents of exemption, the one half of the said forty pounds so recovered, to be to the use of our said sovereign lord the King and his heirs, and the other half of the said forty pounds to be to the use of the mayor of the said city for the time being, and of the citizens of the same city and their successors. And that in such actions of debt hereafter to be pursued, the parties defendants in no wise shall be admitted to their law.

Statutes

Statutes made at *Reading*, Anno 31 HEN. VI.
and *Anno Dom.* 1452.

AU parlement tenuz a Red-
yng le sisme jour de Mar-
che lan du reigne nostre seign-
ur le Roy Henry vjme puis le
conquest xxxijme mesme nostre
seigneur le Roy del advis & as-
sent des seignurs esperituelx &
temporelx & lez communes
estantz en le dit parlement &
par auctorite de mesme le par-
lement fist ordeigner & estab-
lier divers ordenaunces & esta-
tures en les maner & fourme
ensuantez.

AT the parliament holden at
Reading the sixth day of
March, the one and thirtieth year
of the reign of our lord King
Henry the Sixth after the con-
quest, the same our lord the King,
by the advice and assent of the
lords spiritual and temporal, and
the commons being in the said par-
liament, and by authority of the
same parliament, hath made, or-
dained, and stablished divers acts
and statutes in the manner and
form following.

C A P. I.

John Cade shall be adjudged a traitor, and all indictments
and acts done by his authority shall be void.

FIRST, Whereas the most abominable tyrant, horrible, Ex edit. Raft.
odious, and errant false traitor *John Cade*, calling and nam-
ing himself sometime *Mortimer*, sometime captain of *Kent*,
which name, fame, acts, and feats be to be removed out of the
speech and mind of every faithful christian man perpetually :
falsely, and traitorously purposing and imagining the perpetual
destruction of the King's said person, and final subversion of
his realm, taking upon him royal power, and gathering to him
the King's people in great number by false subtil imagined
language, and seditiously made a stirring, rebellion, and insur-
rection under colour of justice for reformation of the laws of the
said King, robbing, slaying, and spoiling great part of his faith-
ful people: our said sovereign lord the King, considering the
premisses, with many other which were more odious to remem-
ber, by advice and assent of the lords aforesaid, and at the re-
quest of the said commons, and by the authority aforesaid, hath
ordained and stablished, That the said *John Cade* shall be reputed,
had, named, and declared a false traitor to our sovereign lord
the King, that all his tyranny, acts, feats, and false opinions shall
be voided, abated, adnulled, destroyed, and put out of remem-
brance for ever. And that all the indictments, and all things
depending thereof, had and made under the power of tyranny,
shall be likewise void, adnulled, abated, repealed, and holden for
none. And that the blood of none of them be thereof defiled
nor corrupted, but by the authority of the said parliament
clearly declared for ever. And that all indictments in time
coming, in like case under power of tyranny, rebellion, and stir-
ring had, shall be of no record nor effect, but void in law.

And all the petitions delivered to the said King in his last parliament holden at *Westminster* the sixth day of *November*, the nine and twentieth year of his reign, against his mind by him not agreed, shall be taken and put in oblivion out of the remembrance, undone, voided, annulled, and destroyed for ever, as a thing purposed against God and conscience, and against his royal estate and preeminence, and also dishonourable and unreasonable.

CAP. II.

The penalties for those who shall disobey the King's writs, &c. or not appear before his council when warned by proclamation.

4 Inst. 82.
1 Mod. 61.

Privy seal.

Chancellor
of England.

Sheriff.

ITEM, Forasmuch as the King our sovereign lord before this time, upon certain suggestions and complaints made as well to him as to the lords of his council, upon divers persons of this his realm, for great riots, extortions, oppressions, and grievous offence by them done against his peace and laws, to divers of his liege peop.e, hath given in commandment, as well by his writs under his great seal, as by his letters of privy seal, to appear before him in his chancery, or before him and his council at certain days in the same writs or letters contained, to answer to the premisses: which commandments be, and many times have been disobeyed, in contempt of the King our said sovereign lord, and to the great hindrance, damage, and delay of his said complainants in this behalf: our said sovereign lord the King, considering the premisses, by the authority aforesaid, hath ordained, enacted, and stablished, That, if any such writ or letters of privy seal hereafter directed to any person to appear before him or his council (as afore is said) there to answer to any of the premisses, and then the same person refuse to receive such writ or letters, or them despise, or absent, or withdraweth himself for this cause, and come not, and keep not the day of appearance given to him by the said writ or letters of privy seal, and that duly certified and known to his council, that then the chancellor of *England*, for the time being, shall have power by the said authority, to cause a writ or writs of proclamation to be directed to the sheriff of the county, where the person so refusing to receive such writs or letters, or them despising, or absenting or withdrawing him for this cause, is dwelling or conversant, or into the county next adjoining, and to the sheriffs of *London* for the time being, giving to the said sheriffs severally in commandment by himself, that they upon pain of forfeiture of two hundred pounds shall make open proclamation in the shire-town of the same county, and in the said city, by three several days immediately after the said writ or writs shall be to them delivered, that such person, to whom such writ or letters of privy seal shall be directed as afore is rehearsed, shall appear before the King's council, or before the chancellor of *England* for the time being, within a month next after the said last day of proclamation:

clamation: and shall return the said writ or writs of proclamation before the King in his chancery within seven days after the said third day of proclamation, upon the said pain of two hundred pounds. And if he make default, and do not appear within the said month, the said writ or writs duly proclaimed in the said shire-town and city, and the King's council truly certified of the said proclamation in such form executed, that then if such person be of the state of a lord, as a duke, marquis, earl, viscount, or baron, he shall lose and forfeit all offices, fees, annuities, and other possessions that he or any man to his use hath of the gift or grant of the King, or of any of his progenitors made to him or any of his ancestors. And that then the said chancellor for the time being, shall do to be made another writ or writs of proclamation, to be directed to the said sheriffs of the said counties and city for the time being, to make open proclamation and return of the same writ or writs, upon the same pain as afore is specified and ordained upon the said first writ of proclamation. And if he make default, and do not appear at the day to him limited by the said last writ or writs of proclamation, that then he shall lose and forfeit his estate and name of lord, and his place in the parliament. Provided, That the said forfeiture of offices, fees, annuities, and other possessions, and also of the said estate and name of lord and place, shall extend but only for term of life of him or of them, which by the authority of this act shall forfeit the said offices, fees, annuities, possessions, state, name, and place, or any of them, in the form aforesaid. And if any lord of the said estates of a duke, marquis, earl, viscount, or baron, having nothing of the King's grant nor of his progenitors, do disobey (as afore) after the said proclamation in manner and form aforesaid, made, returned and certified: then he shall forfeit for term of his life to the King his name and estate of lord and place in the parliament, and also all the lands and tenements which he hath or any other to his use hath. And that every other person under the state of a lord, having livelyhood, or to whose use any other person or persons have any livelyhood, if he appear not within the month after the proclamation made by virtue of the first writ or writs, he shall make a fine after the discretion of the two chief justices of his bench, and of his common bench for the time being. And that every other person, having no livelyhood, nor none other person to his use, so making default, shall be put out of the King's protection. Provided always, That if any of the King's liege people, named in the said writs or letters, be not within this his realm at the time of any of the said writs delivered and returned, nor absent him within the said realm, and also if the person or persons against whom such writs of proclamation hereafter shall be awarded, be so grievously vexed or troubled by infirmity of sickness, or otherwise, such persons be imprisoned without fraud or male engine, or that they be so feeble for age, that they may not labour in their proper persons, so that such dwelling out of the realm, feebleness, or sickness, imprisonment, and debility of

age be sufficiently and duly proved by just and indifferent examination before the lords of the King's council, they shall not be endamaged by this act. Provided also, That no matter determinable by the law of this realm, shall be by the same act determined in other form than after the course of the same law in the King's courts having determination of the same law. This act to begin and take effect the first day of *May*, the two and thirtieth year of the reign of the said King, of all disobediences to be made after the same first day, and of no disobediences before this day made, and to endure for term of seven years: and that this present act shall be proclaimed by the sheriff of every county of this land in every market town within the same county, before the feast of the nativity of Saint *John Baptist* in the said two and thirtieth year.

CAP. III.

Attachments in the east and west marches shall be made in Cumberland, Westmerland, Northumberland, and the town of Newcastle only.

Attachment.

Warden
courts.

ITEM, Forasmuch as the wardens of the marches adjoining to *Scotland*, called the East-march and the West-march, have used by their ministers to make attachments, and to attach men by their bodies in the counties of *Northumberland, Cumberland, and Westmerland*, and in the town of *Newcastle* upon *Tine*, and in none other places, to answer to indictments taken in the courts called warden courts of the said marches, for attempts supposed to be done against the virtue of the truce within the said counties and town: and now of late the ministers and officers of the said courts, sometime for the singular lucre, and sometime for malice that they have borne to certain persons, have attached and taken upon them daily to attach divers persons well governed by their bodies, as well in the county of *York* as in other places out of any of the said counties of *Northumberland, Cumberland, or Westmerland*, or the town of *Newcastle*: our said sovereign lord the King, considering the premisses, by the authority aforesaid hath ordained and stablished, That if any minister of any of the said courts attach any person by his body or by his goods, out of any of the said counties of *Northumberland, Cumberland, and Westmerland*, or the town of *Newcastle*, to answer in any of the said courts, or by colour or cause of any manner of presentment taken or to be taken in any of the said courts, that it shall be lawful to every person, which shall happen so to be attached, to make resistance, and not to obey any such attachment. And if any person be endamaged or grieved by any such attachment, he shall have in this behalf an action of trespass or false imprisonment against them which shall make or do to be made hereafter any such attachment, and in the same to recover treble damages, if in any of the actions the matter pleaded pass or be judged for the plaintiff in the same. And the defendant to have two years imprisonment, and moreover

to pay to the King a hundred shillings. And that the justices of peace in their sessions of the peace, sheriffs in their turns, and also stewards of leets in their leets, by them to be holden, shall have power to enquire of all such attachments made or to be made out of the said counties of *Westmerland, Cumberland,* or Repealed by *Northumberland,* or the town of *Newcastle,* and therein and upon 4 Jac. 1. c. 1. the same to do and proceed as they may do and proceed upon presentments taken before them in their sessions of peace, turns, or leets, of trespass or of frays made against the King's peace.

CAP. IV. ~~of the~~

The remedy for him who having a safe conduct is robbed upon the sea.

ITEM nostre dit souverain seigneur le Roy par auctorite desuisdit ad ordeigne & establie que si aucun de sez subgiectz attempt ou offense sur le meer ou en aucun port dedeins le dit roialme soubz lobeissance du Roy encounter aucun persone ou personnes estranges esteantz sur le meer ou en aucun port desuisdit per voye danyte liege ou treues ou par force du faulconduyt ou sauvgarde du Roy en aucun manere & en especiaill en attachant dascun tiel estrange persone robbant ou despoilant de luy de nief ou ascuns autres maners des biens ou encounter aucun autre persone de son liege poeple le chaunceller d'Engleterre pur le temps estant come pur la delivraunce dascune tiel persone issint attache destre ewe et come pur restitution affaire a chescun tiel persone ensi robbe ou dispoile de nief ou biens ou de la value ent eit auctorite appeillant a luy aucun des justices de lune ou de lautre bank sur bille ou billes du compleint fait a luy en cest partie pur faire autiell processe hors de la dit chauncellerie si bien encounter toutz tielx offendours a les amener en la chauncerie du Roy illeques a respoundre as parties issint greves en cest partie come encounter

ITEM our sovereign lord the King, by authority aforesaid hath ordained and established, That if any of his subjects attempt or offend upon the sea, or in any port within the said realm, under the King's obedience, against any person or persons strangers, being upon the sea, or any other port aforesaid by way of amity, league, or truce, or by force of the King's safe conduct or safeguard in any wise, and especially in attaching of any such strange person, robbing or spoiling of him, his ship, or any other manner of goods, or against any other person of his liege people; the chancellor of *England* for the time being (as well for the deliverance of any such person so attached to be had, as to make restitution to every such person so robbed or spoiled of ship or goods, or of the value thereof) shall have authority, calling to him any of the justices of the one bench or of the other, upon a bill or bills of complaint to him made in this behalf, to make such processes out of the said chancery, as well against all such offenders, to bring them into the King's chancery, there to answer to the parties so grieved in this behalf, as against any other

³ Bulfr. 28.
By what means he shall have remedy, who having the King's safe conduct, is robbed upon the sea by any of the King's subjects.

other person or persons to whose hands any such person so attached, ship or goods shall come, as for the delivery and restitution by them to be made of the same person, ship, and goods, as shall seem to the same chancellor most expedient and necessary. (2) And upon this process so made out of the said chancery, the said chancellor further to proceed in this matter, if the case do so require, by advice of any such justice, to make the person and persons strangers so grieved to have full delivery and restitution of any such person so attached, and of all such ships and goods, and also of all their costs, expences, and losses disbursed and suffered by them in this behalf, and thereupon to award all manner of execution out of the said chancery, in such sort as shall seem to the said chancellor most expedient and necessary for such delivery and restitution to be had, calling to him any such justice as afore is said. This act to begin and take effect the first day of May, the two and thirtieth year of the said King.

24 Ed. 4. c. 4.

countre aucun autre persone ou personnes as quelx mains aucun tiel persone issint attache nief ou biens ferrà ou serrount venuz come par delivraunce & restitution par eux affaires de mesmez lez persone nief & biens come semblera a mesme le chaunceller pluis expedient & necessarie. Et sur telle processe ensi fait hors de la dit chauncellerie le dit chaunceller plus avant a proceder en cell matier si le case ensi requiert par advis d'aucun tiel justice de faire la persone & personnes estranges issint greves d'avoir pleyn delivraunce & restitution d'aucun tiel persone ensi attache et de toutz tielx niefs et biens et aussi de toutz leurs costes expences & deperdes faitz & suffrez par eux en cest partie et tout maner d'execution sur ceo de faire hors de la dit chauncerie en tiel fourme come semblera au dit chaunceller plus expedient & necessarie pur tiel delivraunce & restitution destré euez appellant a luy aucun tiel justice come devant est dit. Cest acte a commencer & prendre effect le primer jour de Maij lan du dit Roy xxxij.

C A P. V.

No customer, comptroller, &c. shall have any estate certain in his office.

17 R. 2. c. 5.

ITEM, *Whereas it was ordained by a statute made in the time of King Richard the Second, That no searber, gauger of wines, aulneger, finder, weigher, collector of customs and subsidies, or comptroller, shall have estate in his office for term of life, or for term of years, but that the said offices shall remain under the government of the treasurer of England for the time being;*

* Tronour.

4 H. 4. c. 24.

ITEM *que come estoit ordeigne par lestatute fait en le temps du Roy Richard seund que null sercheour gaugeour del vyne aulnour tronour poifour collectour des custumes & subsidies ou countrollour a-veroit estate en son office pur terme de vie ou terme des ans mes que les ditz officez demut-roient desoubz la governaunce du tresorer d'Engleterre pur le temps*

temps esteant auxi estoit ordeigne par lestatut fait en temps du Roy Henry le quart de launage de draps deins cest roialme poet estre commis a ferme ou en approvement selonc ladvis du tresorer d'Engleterre pur le temps esteant come en les ditz estatutez plus plainement soit declare unqore ceo nient obstant diverses personnes ont opteigne lettres patentes du Roy des ditz offices & aulnage ascuns pur terme de vie & ascune pur terme des ans au grande prejudice du Roy & du poeple & encountre lez ditz estatutez. Nostre dit seigneur le Roy considerant les premisses ad ordeigne par auctorite desuisdit que routz lettres patentes faitz dascun des ditz offices ou aunage a ascun personne encountre leffectes de les ditz estatutez soient voides & de null force. Et que nullz lettres patentes dascun des ditz offices ou aunage soient faitz en apres mes par garrant de bille enseale par le tresorer d'Engleterre pur le temps esteant envoie par luy en la chauncellerie come il ad este accustume devaunt cest temps.

Et que toutz lettres patentes faitz ou affaires en apres des ditz offices ou aunage par autre garraunt que par bille du tresorer soient voides & de null effect. Purveu toutz soit que cest acte nextende pas ne soit prejudicial ne damageous a nostre souverain dame la Roigne le prince le duc de Buk' as enheriters de Henry jades duc de Warr' ne as maire & communalte de Loundres ne as les maire baillifs & communalte de cite de Wynchestre come a ascune graunte ou graunt dimise ou dimises del aulnage ou ascun graunte

being; (2) and where it was ordained by the statute made in the time of King Henry the Fourth, That the aulnage of cloths within this realm may be committed to ferm, or in approvement, according to the direction of the treasurer of England for the time being, as in the said statutes more fully is declared; (3) yet that notwithstanding divers persons have obtained the King's letters patents of the said offices and aulnage, some for term of life, and some for term of years, to the great prejudice of the King, and of his people, and contrary to the said statutes: (4) Our said lord the King considering the premisses, hath ordained by the authority aforesaid, That all letters patents made of any of the said offices or aulnage to any person, against the effect of the said statutes, shall be void, and of no force; (5) and that no

Dyer, 303.
Hob. 214.

II. And that all letters patents made, or to be made hereafter, of the said offices or aulnage, by other warrant than by bill of the treasurer, shall be void, and of no effect. (2) Provided always, That this act shall not extend, nor be prejudicial nor hurtful to our sovereign lady the Queen, the prince, the duke of Buckingham, to the inheriters of Henry late duke of Warwick, nor to the mayor and commonalty of London, nor to the mayor, bailiffs, and commonalty of the city of Winchester, as to any grant

4 Inst. 112.
No customer, comptroller, aulneger, searcher, &c. shall have any estate or certainty in his office.

grant or grants, demise or demises of the aulnage, or any grant or grants of any sum or sums of money of the ferm of the aulnage, to them granted, made, or confirmed, nor to any comptroller having any offices out of the King's ports, nor to *John Penycok* esquire, nor to *Gyles Seinclo* esquire, nor to any of the King's or Queen's household servants, of any grant or grants of any office or offices to them made before this time, with the fees and wages of old time due and accustomed.

graunte ou grauntes dascun somme ou sommes de money del ferme del aulnage a ceux grauntez faitz ou confermez ne a null countroller eiant aucunes offices hors du portes du Roy ne a *Johan Penycok* esquier a *Gyles Seinclo* esquier ne a ascun des meniall servauntes du Roy ne servauntes du Roigne dascun graunte ou grauntes dascun office ou offices fait a ceux devaunt cest temps ove les fees & gages de launcien temps duez & accoustumez.

14 R. 2. c. 10.
17 R. 2. c. 5.
1 H. 4. c. 13.

CAP. VI.

The statute of 20 Hen. VI. c. 2. touching the forfeiture of them which be outlawed in the county of Lancaster, made perpetual.

Ex edit. Rast.

Outlawry.

County of Lancaster.

Repealed by
31 H. 6. c. 2.

ITEM, Whereas at the parliament holden at *Westminster* the twentieth year of the King that now is, it was ordained by authority of the same parliament, That no person of the King's liege people, against whom any *Exigend* shall be awarded or outlawry pronounced at the King's suit, or at the suit of the party in time to come in the county of *Lancaster*, shall forfeit any of his goods or chattels, lands or tenements in any other county, but all only the goods or chattels, lands and tenements, which the persons so outlawed, or they against whom such *Exigend* shall be awarded in the said county of *Lancaster*, have in the same county. And by reason of any such outlawry at the King's suit, or at the suit of any other person pronounced within the said county of *Lancaster*, he shall not be forebarred nor disabled of any manner of action, nor to claim any manner of inheritance out of the same county, nor disabled to pursue any manner of action out of the same county, notwithstanding such outlawry against him pronounced, as in the said statute more fully appeareth: which statute is now expired, because it was ordained to endure but for seven years then next ensuing, which statute was profitable and necessary to the King's liege people: our said sovereign lord the King, considering the premises, by advice and assent of the lords spiritual and temporal in the said parliament assembled, and at the request of the said commons, and by the authority of the same parliament, hath ordained and established, That the said late statute shall be in his force and virtue, taking effect and force at the last day of *March*, the thirtieth year of his reign and from that day to endure for ever.

CAP. VII.

Fees, wages, and rewards due to the King's officers, shall not be comprised within the statute of resumption made in the eight and twentieth year of the King's reign.

ITEM, Whereas in the parliament holden at *Westminster* the Resumption, sixth day of *November*, the xxviii. year of the reign of our sovereign lord the King, in the act of resumption, among other things it was ordained and established, by the authority of the same parliament, That it pleaseth him to take, resume, seize, and retain in his hands and possession all honours, castles, seignories, towns, villages, manors, lands, tenements, rents, reversions, wastes, fees, feesferms and services, with all their appurtenances in *England, Wales*, and in the marches of the same, *Ireland, Guyen, Calais*, and the marches of the same, which the said King had granted by his letters patents, or in any other manner since the first day of his reign: and that all manner of grants of rents charges or annuities made by him of the estate of inheritance for term of life or for term of years to any person or persons to be taken of any of the premises, or of his customs or subsidies or aulnage, or of the hamper, or to or in his receipt, or otherwise or in any other place or any of them, or of the profits coming of them or any of them, within his realm of *England, Ireland, or Wales, Guyen, Calais*, and in the marches of the same, shall be void and of none effect as in the said act of resumption more fully is declared. And forasmuch as doubt and ambiguity is had, what fees, rewards, wages, profits, and other things, belonging and of old time pertaining to these offices in the times of his noble progenitors, shall be resumed, retained, in the King's hands or void by virtue of the said act or not: for a certain and full declaration thereof, our sovereign lord the King, at the request of his said commons, by the authority aforelaid, hath ordained, That the said act and ordinance of resumption shall not be prejudicial to any of his officers, of any fees, wages, rewards, or profits due or pertaining to such officers as were the first day of his reign or before, because of such offices or occupations. And that the said fees, wages, rewards, and profits, shall not be comprised within the said act of resumption at the time of the making of the same act, nor after, nor within any other act or ordinance made in his said parliament: but that all such wages, fees, rewards and profits shall be and remain to all and every such offices and occupation, as they were the first day of his reign or before, any act of resumption, statute, ordinance or provision, or any other act made to the contrary, or any doubt or ambiguity in the same contained notwithstanding.

C A P. VIII.

A confirmation of a subsidy of wool, woolfels, and cloth transported, granted by a statute ordained 31 Hen. VI. not printed.

Poundage.

ITEM, Whereas in the said parliament commenced at *Reading* the sixth day of *March*, the xxxj. year of the said King, and adjourned to *Westminster* till the xliij. day of *February*, a subsidy called poundage, was granted to the said King, that is to say, of all manner of merchandise of every merchant denizen and alien, as well of merchants of *Hanse* and *Almaine*, as of any other merchant alien, carried out of this realm, or brought into the same by way of merchandise, of the value of every xx s. xii d. to have to him at the third day of *April* next coming for term of his life natural, with a certain exception in the same grant specified, by force of which act the King's subjects merchants denizens of this realm, shall be chargeable to pay to the King xii d. of the value of xx s. of all their woollen cloths passing out of the same, after the said third day of *April*, which shall be to them very great importable charge, and impoverishment of a great part of the poor people of this realm, and peradventure cause of restraint and impediment of utterance of all manner of woollen cloths made within the same: which shall cause by process of time few cloths to be made in the said realm; and thereupon great idleness amongst his poor liege people, and a mean of destruction of his navy, and shall cause the wools to be of less value, to the great destruction of the growers of the same. And moreover in the said parliament, the said vj. day of *March*, a certain subsidy of wools and woolfels was granted to the King, that is to say, of every merchant denizen for the subsidy of every sack of wool xliij. s. iij. d. and of every CC. xl. woolfels xliij. s. iij. d. to have to him for term of his life natural, at the third day of *April*, as in the act of the grant thereof made in the same parliament more fully appeareth: wherefore the poor subjects merchants of the staple of *Calais*, shall be compelled after the said third day of *April*, to pay to the King of every sack of wool and of every CC. xl. woolfels x. s. more by way of subsidy than they have been accustomed to pay in any days of the reign of the said King: which charge being to them importable, is likely to be the cause that they shall not be of power to buy or ship any great quantity of wools of this realm, to be had to the said staple, whereof shall ensue very excessive diminution and decrease of the price and value of wools and woolfels of this realm, and of the great annual revenues of the customs and subsidies, which should grow to the King of the shipping of such wools and woolfels, and to the abating of the payment of wages of the soldiers intending upon the safeguard of the town and marches of *Calais*, and also the poor growers of wools of this realm greatly impoverished. Our said sovereign lord the King will by the authority aforesaid, That every merchant denizen, his liege man
born

born within this his realm, which shall ship or carry any wools or woofels to the staple of *Calais*, or by the streights of *Marrock*, Staple of by the King's licence for such wools and woofels so shipped *Calais*. and carried to the said staple, or by the said streights, shall be quit and discharged of the said x. s. parcel of the said subsidy of xl. iij. s. iij. d. granted to the King in the said parliament of every sack of wool, and of every CC. xl. woofels at the said third day of *April*, specified in the said grant, by the space of five years then next ensuing. And also that every merchant denizen shall be quit and not chargeable, by virtue of the said grant of subsidy of xii. d. of the value of every xx s. of all manner of woollen cloths, by them or any of them to be had out of this realm, to any parts beyond the sea, at the said third day, by the space of three years then next ensuing.

CAP. IX.

A remedy for a woman inforced to be bound by statute or obligation.

ITEM qe come en toutz parties de cest roialme divers gens de poair moevez de insatiable covetyse encountre tout droit gentilnes verite & bone conscience ont labores & trovez novelx inventions & eux asseduoufment executes a lendaungeraunce trouble & mauvailx traier de toutz damez gentilx femmes & autres femmes esteantz soulz eiantz ascune substaunce des terres tenementes ou autres moebles biens deins cest dit reame entendauntz la graunte innocencie & simples de eux voillent prendre ceux par force ou autrement veinent a eux ressemblauntez estre leur tresgraundez amis promettantz eux leur soiall amite et issint par graunde dissimulation ou autrement gaignent eux en leur possession conveiauntz eux en autielx lieux ou lez ditz messeissours sont de plus poiar et qant aucuns femmes par tielx moiens ou par ascune autre moien sont en leur governaunce la dit mauvailx dispose persone ou persones ne voillent suffrer eux daler

ITEM, Whereas in all parts of this realm divers people of great power, moved with unsatiable covetousness, against all right, humanity, integrity, and good conscience, have sought and found new inventions, and them continually do execute, to the danger, trouble, and great abusing of all ladies, gentlewomen, and other women sole, having any substance of lands, tenements, or other moveable goods within this realm, perceiving their great weakness and simplicity, will take them by force, or otherwise come to them, seeming to be their great friends, promising them their faithful friendship, and so by great dissimulation, or otherwise, get them into their possession, conveying them into such places where the said offenders be of most power; -(2) and when any women by such means, or by any other means be in their government, the said evil disposed person or persons will not suffer them to go at large, and be at their liberty, until that they will bind themselves to the said offenders, or other person or persons to their use, in great sums, by obligation

Inst. 60.

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tion or obligations, as well simple as conditional, or by obligation or obligations of statute-merchant, made before a mayor or bailiff, having power to take such recognisances.

II. Also they will many times compel them to be married by them, contrary to their own likings, or otherwise they will levy the said sum or sums on their lands and goods, and put their person or persons in danger, to their great damage, which hath been, and is like to be an universal prejudice to the law of holy church, and the law of this realm, unless due remedy thereupon be provided.

(2) Our said lord the King, considering the premises, hath ordained and established, by authority of this present parliament, That in all such cases aforesaid, the party bound may have a writ out of the chancery, containing all the matter of their unreasonable intreaty, directed to the sheriff of the county where any such offences were so done, or after shall be done, commanding him, that he, by force of this writ, make proclamation in the full county, and in the next county-court after the receipt of the said writ, that the person or persons contained in the said writ shall appear at a certain day and place prefixed in the said writ, before the chancellor of *England* for the time being, or otherwise before the justices of assise in the counties where the said offences were done, or else before some other notable person to be assigned by the chancellor of *England*, for the time being; (3) at the which day and place, if the said parties appear, that then the said chancellor of *England*, justice,

daler a large et estre a leur libertee jusques a ceo que els voient obliger ceux a les ditz meffaisours ou autre persone ou personnes a lour oeps en grandes sommes par obligation ou obligations sibien symplez come conditionelx ou par obligation ou obligations destatute merchaunt faitz devaunt maire ou baillif eiant poiar a prendre tielx reconisanz.

Auxi multz soitz ils voillent compeller eux destre maries par eux contrarie a lour propre desires ou autrement ils voient faire lever la dit somme ou sommes de lour terres & biens & dendaunger lour persone ou personnes a leur tresgrande damage que ad este & est semblable estre universall prejudice a ley del eglise & a ley de cest roialme sanz ceo que due remede sur ceo soit purveu. Nostre dit seigneur le Roy considerant les premiszez ad ordeigne & establie par lauctorite de cest present parliament que en toutz tielx cases desuifditz la partie oblige poet avoir brief hors del chauncerie conteignant tout la matier de leur deresonable entraiter direct al viscount del counte ou ascuntielx offenses seurent ensi faitz ou en apres ferrount faitz commandant luy que il par force de cell brief face proclamation en le plein counte en le prochain counte puis la resciept de le dit brief que la persone ou personnes conteignuz en le dit brief appierge ou appiergent as certeinz jonr & lieu prefixez en le dit brief devaunt le chancelier dEngleterre pur le temps esteant ou autrement devaunt les justices dez assise en lez ditz counteez ou les ditz offenses furent faitz ou autrement devaunt

A remedy for a woman that is enforced against her will to be bound by statute or obligation.

vaunt aucun autre notable persone assigner par la chancelier d'Engleterre pur le temps estant as queux jour & lieu si les ditz parties appierent que lors de dit chaunceller justice ou autre persone ensi assignier par le dit chaunceller pur le temps estant par vertue de cest ordenaunce face examiner dueument les ditz parties sur ceitez premisiez par quell examination ils poient trover la dit obligation ou obligations ou aucun de eux estre faitz tielment come desuis est dit que donque la dit obligation ou obligations & tout processe & execution suez ou a pursuers sur ceo soient voidez & de null effect. Et sil soit trove par examination devaunt eux que la dit obligation ou obligations ou aucune de eux furent faitz ou serront trevez faitz pur verraie duete & per null tiel moien come devaunt est dit que donque la dit obligation ou obligations & tout le processe & execution suez ou a pursuers sur ceo estoient bonez & effectuelx. Et sil ensi soit que la persone ou personnes en tielx briefs nommes ou a nommers encountre quel ou quelx aucun tielx briefs enapres serront suez facent ou face defaulte a lez jour & lieu limitez en mesme le brief ou briefs que adonques toutz tiel obligation ou obligations come soient devaunt especifiez & en le dit brief ou briefs expressez & tout maner processe & execution suez ou a pursuers sur ceo soient voidez et que le viscount ou viscountes a queux tiel brief ou briefs sur cest ordenaunce en apres destre conceus serra ou serront directes face executer lez ditz briefs accordaunt al tenure diceux sur peine de trois centz

or other person so to be assigned by the chancellor for the time being, by virtue of this ordinance, shall duly examine the said parties upon the premises; (4) by which examination, if they can find the said obligation or obligations, or any of them, so to be made as is aforesaid, that then the said obligation or obligations, and all process and execution sued, or to be pursued thereupon, shall be void, and of no force nor effect. (5) And if it be found by examination before them, that the said obligation or obligations, or any of them, were made, or shall be found to be made, for a true duty, and by no such means as afore is said, that then the said obligation or obligations, and all the process and execution sued, or to be pursued thereupon, shall stand good and effectual. (6) And if it be so that the person or persons in such writs named, or to be named, against whom any such letters or writs hereafter shall be sued, make default at the day and place limited in the same writ or writs, that then all such obligation or obligations as be before specified and declared, and in the said writ or writs expressed, declared, and specified, and all manner of process and execution sued, or to be sued thereupon, shall be void, and of no force nor effect; (7) and that the said sheriff or sheriffs, to whom such writ or writs upon this ordinance hereafter commenced, shall be directed, shall execute the said writs according to the tenour of the same, upon pain of three hundred pounds, whereof our sovereign lord

The forfeiture of the sheriff which doth not execute the King's writ of proclamation.

lord the King to have the one half, and the other half to the party which shall sue the said writ of proclamation. (8) And that the said party so grieved may have an action of debt in every such case against the said sheriff, for the half of the said three hundred pounds so forfeit, with process of outlawry. (9) And that the party or parties defendants in any such action hereafter to be pursued against any sheriff or sheriffs, shall alledge no protection, nor shall wage his law, nor shall be received to make or plead any foreign plea, to be tried in any other place than there where the said writ grounded upon this statute is sued.

centz livezez dount le Roy nostre souverayn seigneur davoit lune moie & lautre moite a la partie qe suera le dit brief de proclamation. Et qe la dit partie issint greve poiet avoir action de dette en chescun tiel cas encountre le dit viscount pur la moitee dez ditz trois centz livezez issint forsaitz ove processe del utlagarie. Et qe la partie ou parties defendantz en aucun tiel action de cy en apres encountre aucun viscount ou viscountez a pursuers allegera null protection ne gaigera fa ley ne serra resceu affaire ou ploder aucun forein plee destre trie en aucun autre lieu qe la le suiskit brief foundu sur cest ordonnance est suez.

Statutes made at *Westminster*, Anno 33 HEN. VI.
and Anno Dom. 1455.

HENRY by the Grace of God King of England and France, and lord of Ireland, the sixth after the conquest, at his parliament holden at Westminster the ninth day of July, the three and thirtieth year of his reign, by the advice and assent of the lords spiritual and temporal, and the commons of his realm of England, being in the same parliament, and by authority of the same parliament, made and ordained certain ordinances and statutes, for the common wealth of the same realm, in the form following.

HENRICUS Dei gratia Rex Anglie & Francie & dominus Hibernie post conquestum sextus ad parlamentum suum apud Westm' nono die Julii anno regni sui tricesimo tertio tentum de avisamento & assensu dominorum spiritualium & temporalium ac communitatis regni sui Anglie in eodem parlamento existentium nec non auctoritate ejusdem parlamenti quedam ordinationes & statuta pro communi utilitate ejusdem regni fieri & stabiliiri fecit & ordinavit in forma sequenti.

C A P. I.

A remedy for executors against servants that embezzle their masters goods after his death.

3 Inst. 104.
24. If in use?
Sec 8 H.6. c.7.

FIRST, our foresaid lord the King, considering, how that

IN primis prefatus dominus Rex considerans qualiter jam-

jampridem diversi servientes familiares tam dominorum quam aliarum personarum boni gradus cito post mortem dictorum dominorum & magistrorum suorum bona que fuerunt ipsorum dominorum & magistrorum tempore mortis eorundem violenter & riotose ceperunt dispoliaverunt & ea inter se distribuerunt in executione voluntatis dictorum dominorum & magistrorum suorum impedimentum ac gravem Dei displicentiam nec non contra fidem & veritatem quas ipsi penes dominos & magistros suos habere debuissent exemplumque imposterum valde periculosum nisi debitum in ea parte provideatur remedium. Quamobrem idem dominus Rex de avisamento assensu & auctoritate predictis ordinavit & stabilivit quod post plenam informationem cancellario Anglie pro tempore existenti per executores aliquorum huiusmodi dominorum sive persone aut duos eorundem executorum factam de aliqua huiusmodi riota captura & dispoliatione factis aut imposterum faciendis per familiares servientes dicti testatoris sui post mortem suam idem cancellarius de avisamento capitalium iusticiariorum de banco ipsius domini regis & de communi banco ac capitalis baronis scaccarii pro tempore existentis aut duorum eorum habeat potestatem faciendi tot & talia brevia dirigenda talibus vicecomitibus per eorum discretionem quot & qualia eis in ea parte videbuntur necessaria ad faciend publicam proclamationem in talibus civitatibus burgis sive villis duobus diebus mercatoriis infra duodecim dies prox' post

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of late time divers houshold-servants, as well of lords, as of other persons of good degree, shortly after the death of their said lords and masters, violently and riotously have taken and spoiled the goods which were of their said lords and masters at the time of their death, and the same distributed amongst them, to the impediment of the execution of the will of their said lords and masters, and to the great displeasure of God, and also contrary to the duty and truth which they ought to have had towards their said lords and masters, and to a perilous example in time to come, unless due remedy in this behalf be provided. (2) Wherefore the same lord the King, by the advice, assent, and authority aforesaid, hath ordained and established, That after full information made to the chancellor of *England* for the time being, by the executors of any such lord or person, or two of the said executors, of such riot, taking, and spoil made, or hereafter to be made, by the household-servants of their or his said testator after his death, the same chancellor, by the advice of the chief justices of the King's bench, and of the common bench, and chief baron of the exchequer for the time being, or two of them, shall have power to make so many, and such writs, to be directed to such sheriffs by their discretion, as to them in this behalf shall seem necessary, to make open proclamation in such cities, boroughs, towns, or places, two market-days within twelve days next after the delivery of the same writs, as to the same chancellor, by the advice aforesaid, shall seem reasonable, That the said offenders shall appear

A remedy for the executors against a servant of their testators, who embezzled his master's goods after his death.

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before the same our lord the King, or his heirs, in his bench, at such a day as by the said writ shall be limited, so that the said last proclamation be made by fifteen days before the same day of appearance; (3) and if any such writ be returned at the day contained in the said writ, and the writ be executed, that proclamation is thereupon had and made according to the said ordinance, and then if the said person or persons, which should appear by reason of the said proclamation, make default at the day specified in the said writ, and do not appear, then he or they so making default shall be attainted of felony.

II. And if any such persons or person do appear at the same day, then the justices of the said King's bench shall have power, by the said ordinance, to commit such person or persons, so appearing, to prison, there to remain according to the said justices discretion, until the said offenders in the said bench do answer to the said executors in such actions, which the said executors will declare against them, or any of them, by bill or by writ, for the riot, taking, and spoiling aforesaid, and that the same actions be determined; (2) so that the same actions be pursued with effect, and not slackly, to the intent to keep the same person or persons in prison.

III. And if such persons or person be set at liberty out of prison by the said justices, that then the same persons or person shall find sufficient persons to be bounden with them to the said executors, by way of recognisance in the said bench,

deliberationem eorundem brevium quibus eidem cancellario de avilamento predicto videbitur rationabile quod dicti malefactores compareant coram ipso domino Rege seu heredibus suis in banco suo ad talem diem qualis per dictum breve erit limitatus sic quod dicta ultima proclamatio per quindecim dies ante eundem diem apparitionis fiat. Et si aliquod huiusmodi breve retortatum sit ad diem in eodem brevi contentum & breve sit executum quod proclamatio superinde habita & facta ordinationi predictae concordans existat et tunc si dictae persone vel persona que comparerent vel compareret ratione dictae proclamationis ad diem in dicto brevi specificatum defaultam faciant vel faciat & non compareant vel non compareat ipse vel ipsa defaultam sic facientes vel faciens sint vel sit attincti de feloniam.

Et si huiusmodi persone vel persona ad talem diem compareant vel compareat tunc iusticiarii de dicto banco domini Regis habeant potestatem per ordinationem predictam committendi talem personam vel personas sic comparentem vel comparentes prisonem ibidem juxta discretionem dictorum iusticiariorum morantur quousque dicti malefactores in banco predicto prefatis executoribus respondeant in talibus actionibus quales dicti executores versus ipsos seu aliquem ipsorum per billam vel per breve pro riota captura & dispoliatione predictis declarare volunt et quod eadem actiones sint determinate ita quod actiones predictae prosequantur cum effectu & non remissa ea intentione ad dictas personas vel per-

A gaoler's forfeiture for setting at liberty a prisoner committed to his custody by force of this statute.

by

by discretion of the justices, to keep such days as he or they shall have by the same court; (2) and if the keepers of the prison, whereunto the said person or persons be committed, do let them go at large out of the prison of his own authority, without the consideration and order of the said justices, then the said keeper shall forfeit and lose forty [*four hundred*] pounds to the said executors; (3) and that no protection be allowed in any action to be taken upon the said ordinance.

auctoritate sua propria absque consideratione & ordinatione dictorum justiciariorum elargaverint tunc dictus custos quadringentas libras prefatis executoribus forisfaciat & perdat et quod nulla protectio in aliqua actione super ordinatione predicta capienda allocetur.

CAP. II.

Jurors in an indictment in the county palatine of Lancaster. Of a foreigner dwelling in another county.

ITEM pro eo quod humiles & fideles ligei & subditi Regii infra comitatum palatinum Lancastrie inhabitantes servitium domino Regi impensuri sunt & cunctis temporibus fuerunt parati ac etiam sibi & progenitoribus suis impenderunt tam in regno Anglie quam in Scotia Francia & aliis partibus ac sub legibus Regii gubernati & non per eandem aliter quam alii ligei Regii extra dictum comitatum in regno predicto inhabitantes dampnificati quousque jam noviter per quendam actum ad ultimum parlamentum apud Redyng tentum extiterit ordinatum quod nulle persone ligoorum dicti domini Regis contra quas aliquod exigendum esset adjudicatum aut utlagaria pronunciata ad sectam Regis vel ad sectam partis in dicto comitatu forisfacerent aliqua

ITEM, because that the humble and faithful liege people of the King, his subjects inhabiting within the county palatine of Lancaster, to do the King service be and at all times were ready, and have done to him and his progenitors, as well in the realm of England, as in the realm of Scotland, France, and other parts, and have been governed by the King's laws, and not dammified by the same, otherwise than other of the King's liege people inhabiting in the realm of England, out of the same county, until now of late by a certain statute at the last parliament holden at Reading, it was ordained and established, That none of the King's liege people, against whom any exigent should be awarded, or outlagary pronounced at the suit of the King or of the party in the said county, should forfeit any goods or chattels, lands or tenements

A rehearsal of the statute of 20 H. 6. c. 2. & 31 H. 6. c. 6. that they which be outlawed in the county of Lancaster shall forfeit no lands nor goods that they have in other counties.

22. If in use. See 23 H. 6. c. 7. ad finem.

ments in any county, but only the goods and chattels, lands and tenements, which the persons so outlawed, or they against whom any such exigent in the said county should be awarded, have in the same county of Lancaster, and by reason of any such outlagary at the suit of the King, or at the suit of the party, pronounced within the same county, should not be barred or disabled of any manner of action, nor to claim any manner inheritance out of the same county, notwithstanding any outlawry against them pronounced, as in the same act doth more plainly appear.

II. And by reason of the same act, if any foreigner should come into the said county palatine, and should slay any of the liege people of our lord the King, or should commit any treason, murder, rape, robbery, or other felony or trespass, or make any contract, or do any other offence within the said county of Lancaster, that then he should have no other punishment nor forfeiture in this behalf, but only of such goods which such foreigners, doing and committing such horrible offences, have within the said county palatine, which for the most part have nothing within the same county; for which

The inconveniencies ensuing by the said statute of 31 H. 6. c. 6.

cause the said foreigners, knowing no peril, punishment, nor loss of goods in the law, to refrain or restrain them of such treasons, murders, and felonies, be the more encouraged daily to commit the same within the said county, and giveth them audacity daily to offend against the laws of the King, his crown and dignity, and also in restraint of the King's laws, to the great loss and final destruction of the said liege people and subjects in the said county palatine. (2) Wherefore the foresaid lord the King considering the premises, by the

qua bona five catalla terras & tenementa in aliquo alio comitatu set solummodo bona & catalla terras & tenementa que persone sic utlagata aut ipse contra quas hujusmodi exigend' adjudicaretur in dicto comitatu habent in eodem comitatu Lancastrie ac ratione alicujus hujusmodi utlagarie ad sectam Regis & ad sectam alicujus alterius persone pronunciate infra eundem comitatum non essent barrate neque inhabilitate de quacunque actione neque ad clamand' qualemcunque hereditatem extra eundem comitatum nec inhabilitate ad prosequend' quamcunque actionem [neque ad clamand' qualemcunque hereditatem extra eundem comitatum nec inhabilitate ad prosequend' quamcunque actionem extra eundem comitatum] non obstante hujusmodi utlagaria contra ipsas pronunciate prout in eodem actu plenius apparet.

Ac ratione ejusdem actus si aliquis forinsecus in dictum comitatum palatinum veniret & aliquem ligeorum domini Regis interficeret aut aliter aliquam prodicionem murdrum raptum roberiam seu aliquam aliam feloniam sive transgressionem perpetraret live aliquem contractum faceret vel aliquam aliam offensam committeret infra dictum comitatum Lancastrie quod tunc ipse nullam aliam punitionem neque forisfacturam in hac parte haberet nisi solummodo de hujusmodi bonis que hujusmodi forinseci tales horribiles offensas perpetrantes & committentes infra dictum comitatum palatinum habent qui pro majori parte nichil infra eundem comitatum habent qua de causa dictis forinsecis scientibus nullum periculum

culum punitionem neque deperditum bonorum in lege ad refrenandum five restringendum ipsos de hujusmodi prodicionibus murdris & feloniis eos talia perpetrare infra dictum comitatum causat & indies audaciam prebet contra leges coronam & dignitatem Regias in ea parte ac etiam in restrictione legum dicti domini Regis ad grave dampnum ac finalem destructionem dictorum subditorum nec non ligeorum in comitatu palatino predicto. Quapropter prefatus dominus Rex premissa considerans de avifamento assensu & auctoritate predictis voluit concessit ordinavit & stabilivit quod dictus actus superius recitatus & ad dictum ultimum parlamentum apud Redyng editus adnulletur vacuetur & nullius vigoris existat. Et ulterius pro conservatione tranquillitate quiete & pace omnium ligeorum suorum tam infra dictum comitatum palatinum quam aliorum ligeorum suorum extra comitatum predictum infra regnum Anglie idem dominus Rex auctoritate predicta concessit ordinavit & stabilivit quod quodlibet indictamentum tempore futuro capiendum coram aliquo justituario dicti domini Regis infra dictum comitatum palatinum Lancastrie aut coram aliquo vicecomite in turno suo in comitatu predicto per quod aliqua persona vel persone supposit per idem indictamentum esse vel fuisse inhabitant sive conversant extra dictum comitatum Lancastrie & infra aliquem alium comitatum infra regnum Anglie capiatur & habeatur per veredictum duodecim viro- rum quolibet eorum habente terras & tenementa aut aliqua alia

the advice, assent, and authority aforesaid, hath willed, granted, and established, That the act before rehearsed and made at the said last parliament holden at *Reading*, shall be adnulled, void, and stand in no force.

A repeal of the aforesaid statute.

(3) And further, for the conservation, tranquillity, quietness, and peace of all his liege people, as well within the said county palatine, as of other his liege people out of the said county within the realm of *England*, the same lord the King, by authority aforesaid, hath granted, ordained, and stablished, That every indictment hereafter to be taken before any of the King's justices in the said county palatine of *Lancaster*, or before any sheriff in his tourn in the said county, whereby any person or persons be supposed by the same indictment to be or to have been inhabiting or conversant out of the said county of *Lancaster*, and within any other county within the realm of *England*, shall be taken and had by the verdict of twelve men, whereof every of them, or some other person or persons to their use, within the same county of *Lancaster*, shall have to the yearly value of an hundred shillings.

(4) And no process shall be made out of any such indictment, before it be duly inquired and examined before the King's justices within the said county of *Lancaster* for the time being, whether the said indictors, and every of them, at the time of such indictment so taken, had lands and tenements within the said county of *Lancaster* to the yearly value of an hundred shillings above all charges.

Of what estate those jurors must be, who shall indict in the county of *Lancaster* a foreigner dwelling in another county.

Of what estate
those jurors
must be, who
shall indict in
another coun-
ty any person
dwelling in
the county of
Lancaster.

found by examination of the said justices for the time being within the said county, that the said indictors, and every of them, at the time of such indictment, so taken, had not lands and tenements to the yearly value aforesaid, that then the same indictments, as to such persons so indicted, supposed by the said indictments to be inhabiting and conversant out of the said county of *Lancaster*, shall be void and of no effect. (6) And also the same lord the King, of the advice and authority aforesaid, hath granted, ordained, and established, That every indictment from henceforth to be taken within any county of the said realm, and out of the said county of *Lancaster*, before any justice, or the sheriff in his tourn, whereby any person or persons supposed by the same indictment to be or to have been conversant or inhabiting within the said county of *Lancaster*, and without such county where such indictments shall happen to be taken, shall be taken by verdict of twelve men, whereof every of them, or some other person or persons to their use, shall have lands and tenements within the same county where the said indictments shall be taken, to the yearly value of an hundred shillings, (7) And that no process be made out of any such indictments before it be duly examined and inquired before the King's justices, having power to award any process upon such indictments, whether the said indictors, and every of them, at the time of such indictments taken, or any other person or persons to their use, had any lands

alia persona vel personis ad eorum usum infra eundem comitatum *Lancastrie* ad annum valorem centum solidorum. Et nullus processus fiet extra aliquod hujusmodi indictamentum antequam debite inquiretur & examinetur coram justitiariis dicti domini Regis infra dictum comitatum *Lancastrie* pro tempore existentibus utrum predicti indictatores & eorum quilibet tempore hujusmodi indictamenti terras & tenementa infra dictum comitatum *Lancastrie* ad annum valorem centum solidorum ultra omnia onera habuerunt & habuit. Et si inveniatur per examinationem dictorum justitiariorum pro tempore existentium infra dictum comitatum quod indictatores predicti & eorum quilibet tempore hujusmodi indictamenti sic capti terras & tenementa ad annum valorem supradictum non habuerunt quod tunc idem indictamentum quoad hujusmodi personam vel personas sic indicat' supposit' per dicta indictamenta esse inhabitant' vel conversant' extra dictum comitatum *Lancastrie* vacuum & nullius effectus existat. Ac etiam idem dominus Rex de avisamento & auctoritate predictis voluit concessit ordinavit & stabilivit quod quodlibet indictamentum tempore futuro capiendum infra aliquem comitatum dicti regni sui & extra dictum comitatum *Lancastrie* coram aliquo justituario vel vicecomite in turno suo per quod aliqua persona vel persone supposit' per idem indictamentum esse vel fuisse inhabitant' vel conversant' infra dictum comitatum *Lancastrie* & extra talem comitatum ubi hujusmodi indictamenta capi con-

contigerint capietur per verdictum duodecim virorum quolibet eorum habente terras & tenementa aut aliqua alia persona vel personis ad eorum usum infra eundem comitatum ubi indictamenta predicta capiuntur ad annum valorem centum solidorum. Et quod nullus processus fiet extra aliqua huiusmodi indictamenta antequam debite examinetur & inquiratur coram iustitiariis ipsius domini Regis habentibus potestatem adjudicandi aliquem processum super huiusmodi indictamenta utrum indictatores predicti & eorum quilibet tempore huiusmodi indictamentorum captorum habuerunt terras & tenementa aut aliqua alia persona vel persone ad eorum usum ad annum valorem centum solidorum infra eundem comitatum ultra omnia onera ubi huiusmodi indictamenta capi contingunt. Et si inveniatur coram domino Rege vel coram aliquo iustitiariorum suorum quod dicti indictatores aut aliquis ipsorum tempore huiusmodi indictamenti sic capti non habuerunt vel non habuit nec aliquis ad eorum usum habuit terras & tenementa ad valorem centum solidorum per annum quod tunc indictamentum predictum quoad aliquam huiusmodi aliam personam vel personas supposit per huiusmodi indictamentum esse vel fuisse inhabitantem sive conversantem infra dictum comitatum Lancastrie vacuum & nullius effectus existat.

lands or tenements to the yearly value of an hundred shillings within the same county, above all charges, where such indictments happen to be taken. (8) And if it be found before our lord the King, or any of his justices, that the said indictors, or any of them, had not at the time of such indictments taken, nor that none other to their use had, lands and tenements to the value of an hundred shillings by year, that then the said indictment, as to any such person or persons supposed by the same indictment to be or to have been inhabiting or conversant within the said county of Lancaster, shall be void and of no effect.

C A P. III.

A remedy for several extorsions committed by the officers of the exchequer.

ITEM, whereas divers officers in the King's exchequer, do **Exchequer.** take wages and fees of the King, for themselves and their clerks, for execution of their offices in the said exchequer, that notwithstanding the said officers and their clerks do take of sheriffs, escheators, and all other accomptants in the said exchequer, great and excessive gifts, fees and rewards, for execution of their offices, against all reason and conscience; and will not execute their offices for delivering of the said accomptants, till they have such excessive fees, gifts, and rewards, which causeth sheriffs, escheators, and other accomptants to take by extortion excessive fees, gifts, and rewards of the King's liege people in the counties where their offices be, to the great damage and destruction of all the said accomptants, and all the people aforesaid. And **Extortion.** whereas it doth pertain to divers officers in the said exchequer, by reason of the fees and wages, which they take of the King to

enter pleas, as well betwixt the King and the party, as betwixt party and party, and pardons, writs of allowance, judgments, and other entries, without fees, gifts, or rewards; and the same officers and every of them notwithstanding their said fees and wages, will not enter any plea, though it contain but half a roll, except they for the said entry have xxvj. shillings, viij. pence, xx. shillings, or xiiij. shillings, iiij. pence at the least, and for the entry of allowance or every pardon and writ, which they or any of them do enter, of whatsoever shortness that it be x s. And moreover, the chief clerk of every of the said officers taketh for his labour, as well of every of the said parties accomptants, as amounteth to the third part of that, that his master did take, which gifts and rewards of some accomptants amounteth to the sum of twenty marks, and some ten pound, and ten marks at the least, to the great damage, oppression, and undoing of the said people. And also whereas divers special commissions be directed to divers justices of peace, and also to other in every county of *England*, for the deliverance of felons and other causes, by virtue of which commissions the justices so assigned, sometime do sit and deliver felons, and sometime such commission is not delivered. And that notwithstanding, some of the said officers, by virtue of their offices will make distress against such commissioners, returnable at a certain day, to return their commission with all issues forfeit, to be returned, at which day though some of the said commissioners do appear, and for their excuse do make an oath (as the law will) that they have sitten and delivered the prisoners according to the form of the commission, or otherwise, that no such commission came to their hands, in which case they be in the law discharged, yet this notwithstanding the said officers will write new distresses against the said commissioners to distrain them: and so infinitely, till the said commissioners have made a fine at their will. Our said sovereign lord the King considering the premises, at the assent of the lords spiritual and temporal, and at the special request of the said commons, and by authority of this parliament, hath ordained and established, That every officer of the said exchequer, which taketh any fees or wages of the King for execution of his office, shall deliver all the accomptants in the said exchequer, in that that to his office appertaineth, in a convenient time. And that they nor none of them, nor none of their clerks, take any gifts, fees, rewards, promise or surety for any thing, which they shall do in their said office for any accomptants, except the said fees and wages which he taketh of the King for the execution of his office. Saving always, That every of the said officers, to whom it pertaineth by reason of his office to enter pleas, pardons, writs of allowance, and judgments, may take for the entering of the plea, pardon, writ, record, or judgment, that containeth half a roll, according to the length and breadth of old times, used in the said exchequer, two shillings, and no more. And for the same plea, writ, pardon, record, or judgment, that containeth a whole roll, iv. shillings and no more. And for the same

same plea, pardon, writ, record, or judgment, which containeth less than half a roll, xx. pence. And for the same plea, pardon, writ, record, or judgment, which containeth more, after the rate and quantity. And that none of the said officers, nor their clerks, take any fees nor wages, nor other profit, of any collectors of *dismes* or *quinsmes*, granted or hereafter to be granted to our sovereign lord the King. And that such officers in the said exchequer, which have power to write by reason of their offices, distresses against the King's justices of peace, or any other commissioners, to bring their estreats, they nor none of their clerks, after that that the said justices or commissioners shall make due excuse (as before is rehearsed) or bring into the court their estreats, shall make no new distress nor other process against the said justices or commissioners, which so have excused them, or brought in their estreats. And if any of the said officers, or any of their clerks, do contrary to any of the articles afore rehearsed, that then they, and every of them shall lose xx. li. as often as they shall be found thereof defective, and our said sovereign lord the King shall have the one half of the said xx. li. so forfeit, and such person or persons that will pursue, the other half. And the same suit shall be taken, holden and determined by action of debt before the barons of the said exchequer, or else before the justices of the common bench, against any officers or clerks of the said exchequer, that doth or taketh contrary to the said ordinance, any privilege or custom of the said exchequer notwithstanding. And that the same process be had in this action before the said justices, as is had in any action of debt upon an obligation at the common law; except that none officer, which hath any office in inheritance, in fee, be excluded in the said exchequer to take the fees, which of old times were lawfully due and pertaining to his office, and no more. Saving always, That the said officers of our sovereign lord the King, and their clerks may take a reasonable reward for their searches, and copies made by them in the said exchequer of any record, at the suit of any of the King's liege people, notwithstanding the said ordinance. Nevertheless the King would, That by advice of his council such direction be taken in this behalf betwixt this time and the feast of St. Michael next ensuing, as shall seem reasonable. And otherwise the said ordinance shall stand in his strength for term of v. years.

C A P. IV.

No person brewing ale or beer in Kent to be sold, shall, during five years, make above an hundred quarters of malt to his own use.

ITEM, our said sovereign lord the King, of the advice of the Brewers in said lords spiritual and temporal, and at the request of the said Kent. commons, and also by authority of this parliament, hath ordained and established, That no person that in the county of *Kent* shall commonly brew any ale or beer to sell shall make nor do to be made any malt in his house, or in any other place to his
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own use at his costs and expences, above an C. quarters in the year, upon pain to forfeit x. li. every year in which he so maketh or doth to be made above the said hundred quarters, the one half to our sovereign lord the King, and the other half to him or them which in this behalf will pursue. And, That the said ordinance take effect the first day of *June* next coming, and shall endure for five years then next ensuing.

C A P. V.

No wrought silk belonging to the mystery of silkwomen shall be brought into this realm by the way of merchandise, during five years.

Silk-women.

ITEM, whereas it is shewed to our sovereign lord the King in his said parliament, by the grievous complaint of the silk-women and spinners of the mystery and occupation of silk-working, within the city of *London*, how that divers Lombards and other strangers, imagining to destroy the said mystery, and all such virtuous occupations of women in the said realm, to enrich themselves, and to encrease them and such occupations in other strange lands, have brought and daily go about to bring into the said realm such silk so made, wrought, twined, ribbands, and chains falsly and deceitfully wrought, all manner girdles and other things concerning the said mystery and occupation, in no manner wise bringing any good silk unwrought, as they were wont to bring heretofore, to the final destruction of the said mysteries and occupations, unless it be the more hastily remedied by the King's Majesty. For reformation whereof the same our sovereign lord the King, by the authority aforesaid, will and hath ordained and established, That if any Lombard, or any other person stranger or denizen, bring or cause to be brought by way of merchandise any wrought silk, twined ribbands and chains, girdles of silk, or any other thing touching and concerning the mystery of silk-women (girdles which come from *Genoa* only except) into any port or place of the said realm from beyond the sea, That the same wrought silk, twined ribbands, chains, girdles, and other things so brought and wrought concerning the same mysteries, shall be forfeit. Also, That every Lombard, and other stranger and denizen, which doth contrary to this ordinance, as often as he so doth, shall forfeit twenty pounds, the one half thereof to be levied and had to the use and expences of the King's house, and the other half to that person that will sue for the same. And that it shall be lawful to every of the King's liege people, to have and maintain an action or actions of debt at every time, as well for the same forfeiture of twenty pounds, as for the thing so forfeit, and the same process to lie therein as in an action of debt at the common law: in which suit no protection nor essoin shall be allowed. And, That the mayor of the said city for the time being, shall have authority to assign ii. iii. or iv. men of the same city sufficient and credible persons, by their discretion to swear upon a book to make due search within the same city and the liberty of the same, as often

Girdles.

Lombard.

London.

often as shall seem expedient, of all things had or done contrary to the premises, and thereof to make due relation to the mayor and aldermen of the said city for the time being for a more full information to the King and him that will pursue. And, That the said ordinance begin to take his strength and effect at the feast of Easter next ensuing, and shall endure for five years then next following.

CAP. VI.

Certain privileges granted to the abbot of Fountain in the county of York.

ITEM, whereas in the said parliament it was lamentably shewed by the abbot and covent of the monastery of our lady of *Fountains* in the county of *York*, of that that whereas they and their predecessors of no little time against conscience have been grievously disturbed and vexed without cause by feigned actions, and daily be in divers courts, wapentakes and other court barons, to the number of xx. and above, within the said county of *York*, and the county of *Cumberland*, and in the county of the city of *York*, within which counties the substance of the possessions of the said monastery lieth, as well by the procuracy and excitation of the bailiffs, stewards, and officers of the said courts, and also the farmers of the said courts, wapentakes, and court barons, for their singular lucre and profit, as by other malicious and evil disposed persons, complaining against the same abbot, and covent, feigning and affirming in divers of their courts, wapentakes, and court barons, at some one court CCC. several complaints or more: and though the common law of *England* require, that every person sued for any cause, in which suit he ought to be admitted to wage his law, that such person so sued should wage his law by his sufficient attorney having authority thereunto: and this notwithstanding the predecessors of the said now abbot and other abbots and priors in the said counties, might in no wise be received by such bailiffs, stewards, and officers, to wage their law by their attornies in such courts and wapentakes till for the same grief and complaint had in this party by authority of the parliament it was ordained that all abbots, and priors, and other religious of *England*, and their successors, in such cases by their general attornies or attorney in every hundred or wapentake within the realm of *England*, every of them under their common seal, severally should plead in such courts such pleas as in the law were pleadable and allowable. And, That every bailiff and steward for the time being within the said courts, should receive such attornies without amercing any such abbots, priors, and religious or any of them, upon pain of forfeiture of x. li. Yet this notwithstanding, when the said abbot by his attorney should wage his law in the said complaints in such several courts, then the said bailiffs, stewards, and officers, oftentimes for their singular lucre, and by covin had betwixt them and the said malicious people affirming the said complaints, have prefixed to the said abbot a day to do his law in every of the said several courts and

and wapentakes together at one day and at several places, every place being so far from other, that the said abbot in no wise might appear and come to do his law in his proper person, as the law requireth : and so he by such cause in divers courts and wapentakes was often in the said complaints condemned, and in divers of the same amerced, some year in an hundred marks, and some year more, and at the least in xl. li. where neither by law nor by conscience any cause of action was had : which labours, costs, and vexations of likelihood should continue and increase to the importable damage of the said house, and of the abbot and convent aforesaid, unless some gracious remedy in this behalf be provided in this said parliament for the said monastery : our said sovereign lord the King, considering the premisses, of the advice, assent and authority aforesaid, hath granted, ordained, and established, That the same abbot, and his successors, against whom any quarrel or plaint is or hereafter shall be taken or attempted in any of the said courts or wapentakes, may wage their law by their attorney or attorneys of the matters contained or to be contained in every such plaint, where the law permitteth them so to do. And, That they (their law so waged) may do their law by a monk of the same place, with other persons with him to the number of six persons, or otherwise by some other person assigned or deputy by the abbot of the said house for the time being, under the common seal of the said monastery of *Pontains*, which six persons with him, to do the said law for the abbot of the said house. And, That the bailiffs, stewards and officers of the said wapentakes and courts for the time being, shall admit, permit, and receive the said laws to be done in the form aforesaid. And, That all the said laws so waged and done be as effectual and of such strength in the law, as if the same abbot or his successors had done the same in their proper persons after the course of the common law : And moreover by authority aforesaid hath ordained, That if any bailiff, steward, or officer of the said courts or wapentakes, will not admit such law to be done in the form aforesaid, or else in any wise do disobey or do not observe the intent of the premisses of his behalf before rehearsed to be done, or omit or of his behalf do contrary to any of the premisses, then the same bailiff, steward, or officer so offending, for every time that he shall happen to do contrary in any of the premisses before rehearsed of his behalf to be done, shall forfeit xx. li. And every person in this case willing to pursue, may have a writ of debt, and declare upon the said ordinance, and he shall have for his labour the one half of the same xx. li. and the King the other half.

CAP. VII.

How many attorneys may be in Norfolk, how many in Suffolk, and in Norwich.

ITEM, Whereas of time not long past within the city of *Norwich*, and the counties of *Norfolk* and *Suffolk*, there were no more but six or eight attorneys at the most, coming to the King's courts,

*Repealed
6 & 7 Jac. 3^d*
Ex edit. Pult.
4 Inst. 76.
A practice of
contentious
attornies, to

courts, in which time great tranquillity reigned in the said city and counties, little trouble or vexation was made by untrue and foreign suits. (2) And now so it is, that in the said city and counties there be fourscore attornies or more, the more part of them having no other thing to live upon, but only his gain by the practice of attorneyship: and also the more part of them not being of sufficient knowledge to be an attorney, (3) ^{stir up suits for} which come to every fair, market, and other places, where is ^{their private} any assembly of people, exhorting, procuring, moving and inciting the people to attempt untrue and foreign suits for small trespasses, little offences, and small sums of debt, whose actions be triable and determinable in court barons, (4) whereby proceed many suits more of evil will and malice, than of truth of the thing, to the manifold vexations and no little damage of the inhabitants of the said city and counties, and all to the perpetual diminution of all the court-barons in the said counties, unless convenient remedy be provided in this behalf. (5) The fore- ^{There shall be} said lord the King considering the premisses, by the advice, assent and authority aforesaid, hath ordained and stablished, That ^{but six com-} at all times from henceforth there shall be but six common attornies ^{mon attornies} in the said county of *Norfolk*, and six common attornies ^{in Norfolk, six} in the said county of *Suffolk*, and two common attornies ^{in Suffolk, and} in the said city of *Norwich*, to be attornies in the courts of record, (6) and that all the said fourteen attornies shall be elect and admitted by the two chief justices of our lord the King for the time being, of the most sufficient and best instructed by their discretions. (7) And, That the election and admission of all attornies which shall be elected and admitted by the said justices for the time being, above the said number in the said counties, shall be void and of no authority nor record. (8) And if any person or ^{Justices of} persons usurp or presume to be attorney in courts of record in ^{peace shall} the said counties or city otherwise than before is specified, and ^{have authori-} that found by inquisition taken before the justices of peace in ^{ty to enquire} the said city or counties (which shall have power by virtue ^{of offenders.} of this ordinance to enquire thereof in their sessions) or in any ^{The forfei-} other manner lawfully proved, That then he or they that so ^{ture of of-} presume, if they be thereof lawfully convict, shall forfeit twenty ^{fenders.} pound as often as he or they be so convict, the one half thereof to be taken to the King's use, and the other half to his use which for the same will sue. (9) And he that thereof will sue, shall have an action of debt against any such person which so presumeth to be attorney, (10) and such process for recovery of the same, as lieth in an action of debt at the common law upon an obligation. (11) Provided always, That the said ordinance ^{Qu. If in use.} begin and first take effect at the feast of *Easter* next coming and not before, if the same ordinance seem reasonable to the justices.

Statutes made at *Westminster*, Anno 39 HEN. VI.
and Anno Dom. 1460.

TO the honour of almighty God, and the reverence of holy church, for to nourish peace, unity, and concord in all parts within this realm of England, and for the relief and sustentation of our lord the King, and of this his realm, the same our sovereign lord King Henry the Sixth after the conquest, at his high court of parliament holden at Westminster upon the seventh day of the month of October, the nine and thirtieth year of his noble and gracious reign, by the advice and assent of his lords spiritual and temporal, and at the special request of the commons of his said realm, assembled in the same parliament, and by the authority of the same parliament, hath ordained these things underwritten.

CAP. I.

The parliament holden at Coventry, 20 die Novembris, Anno 37 HEN. VI. repealed, and all acts, statutes, &c. made by authority of the same, reversed.

Ex edit. Rast.
Parliament.

FIRST, Whereas it hath been shewed to the King our sovereign lord by his liege and faithful commons in this present parliament, that divers seditious and evil disposed persons, having no regard to the dread of God, nor to the damage of the prosperous estate of our said sovereign lord the King, nor his realm, sinisterly and importunately did labour to the said King to summon a parliament to be holden at his city of *Coventry*, the xx. day of the month of *November*, the xxxviij. year of his noble reign, only to destroy certain of the great nobles faithful and lawful lords and estates of the King's blood, and other of the faithful liege people of the said realm of *England*, for the great rumour, hatred, and malice, which the said seditious persons of long time have had against them: and of their greedy and insatiable covetousness to have the lands, hereditaments, possessions, offices, and goods of the said lords and faithful liege people: by which sinister labour certain acts, statutes, and ordinances, against all good faith and conscience, in the said parliament were made finally to destroy the said lawful lords, estates, and liege people and their issues, as well innocents as other and their heirs for ever: which parliament was unduly summoned, and a great part of the knights for divers counties of this realm, and many burghesses and citizens for divers boroughs and cities in the same appearing, were named, returned, and accepted, some of them without due and free election, some of them without any election, against the course of the King's laws and the liberties of the commons of this realm, by the means and labours of the said seditious persons, whereby many great jeopardies, enormities, and inconveniencies, well nigh to the ruin, decay, and universal subversion of the said realm, have ensued: our said sovereign lord the King, considering the premisses,

misses, and that the said lords, estates, and other his liege people, against whom the said acts, statutes and ordinances were made, have always had great and faithful love to the preferment and surety of the King's person, according to their duty: and that few of the acts made in the said parliament, holden at *Coventry*, were made for the weal of the King nor of his said realm, but the greater part of the acts, statutes, and ordinances there made, were laboured by the conspiracy, procurement, and excitation of the said evil disposed persons, for the introduction and accomplishment of their rancour and inordinate covetise, by the advice and assent of the lords spiritual and temporal, and at the request of the said commons, in the said parliament assembled, and by the same authority, hath ordained and stablished, That the said parliament holden at the said city of *Coventry* be void, and holden for no parliament. And, That all acts, statutes, and ordinances, by the authority of the same made, be reversed, adnulled, undone, repealed, revoked, voided, and of no force nor effect.

CAP. II.

A woman at fourteen years of age at the death of her ancestor shall have livery of her land.

ITEM, of the advice, assent, and authority aforesaid it is ordained and stablished, That women being of the age of xiiii. years, at the time of the death of their ancestors without question or difficulty shall have livery of their lands and tenements descended to them. For so the law of this land will that they should have.

Women of the age of 14 at the death of their ancestors shall have livery of their lands.

Thus end the statutes of King *Henry* the Sixth.

Anno primo EDWARDI IV.

Statutes made at *Westminster* in the first year of the reign of King EDWARD IV. and in the year of our Lord 1461.

EDWARD par la grace de Dieu Roi d'Engleterre & de France & seigneur d'Irlande puis le conquest quart al honour de Dieu & de seint eglise pur nurrer peas unite & conorde deins son roialme d'Engleterre le quel il desire moult entierment del advis & assent des seignurs espirituels &

EDWARD by the grace of God King of England and of France, and lord of Ireland, the fourth after the conquest, to the honour of God and of holy church, to nourish peace, unity, and concord within his realm of England (which he much desireth) wholly, by the advice and assent of the lords spiritual and temporal

temporal of the same realm, and at the special request of the commons of his said realm assembled, at his first parliament holden at Westminster upon the fourth day of November, in the first year of his reign, by authority of the same parliament, hath ordained and established certain statutes, declarations, and ordinances, in manner and form following.

& temporelx de mesme roialme & a lespecial request dez communez de son dit roialme a son primer parlement tenuz a Westminster le quart jour de Novembre lan de son reigne primer venuz & assemblez & par lauctorite de mesme le parlement ad fait ordeigneir & establir certains statutez declarations & ordenaunces en la fourme qe ensuit.

C A P. I.

Which acts done by King Henry IV. King Henry V. and King Henry VI. or by others during their reigns, shall continue good, and which not.

Ex edit. Pul.
What acts,
grants, or
things done
by or during
the reigns of
K. Hen. 4.
K. Hen. 5.
and K. Hen. 6.
shall remain
good, and
what not.
judicial acts.

FIRST, In eschewing of ambiguities, doubts, and diversities of opinions, which may rise, ensue and be taken of and upon judicial acts, and exemplifications of the same made or had in the time or times of *Henry* the Fourth, *Henry* the Fifth his son, and *Henry* the Sixth his son, or any of them, late Kings of *England* successively in deed, and not of right: (2) our said lord the King, by the advice and assent of the lords spiritual and temporal, and at the request of the said commons in the said parliament assembled, and by authority of the same, hath declared, established, and enacted in the said parliament, That all fines and final concords, levied or made of any lands, tenements, possessions, rents, inheritances, or other things, and all judicial acts, recoveries, and processes, determined, or commenced, not revoked, reversed, nor adnulled, made or had in any court or courts of record, or any court or courts in any of the times of the pretended reigns of any of the said late kings, in deed and not in right (other than by authority of any parliament holden in any of their times) and exemplifications of the said fines, acts judicial, and recoveries, out of any of the said parliaments, and every of them, shall be of like force, virtue, and effect, as if the said fines, final concords, acts, recoveries, processes, and other the premisses, had or made out of any of the said parliaments and exemplifications of the same, were commenced, sued, had, or determined, in the time of any King lawfully reigning in this realm, obtaining the crown of the same by just title.

Creation of
noble men.

II. And also, That all letters patents made by any of the said pretended kings to any person or persons, of creation, ennobling, and erection of any of them to any estate, dignity or pre-eminence, shall be to the said person or persons, and to such of their heirs, which be contained in the same letters patents, of like force, value and effect, as touching such creation, ennobling, or erection, as if the same letters patents were made or granted

granted to them by any King lawfully reigning in this realm of *England*, and obtaining the crown of the same by just title.
 (2) And that they being so created, ennobled and erected, shall have new grants of the King of their annuities for the maintenance of their estates, as hath been of old time accustomed, except such persons, and every of them, whom our sovereign lord the King reputeth and holdeth for his rebels and enemies.

III. And moreover, the excessive charges and costs which the cities, boroughs, towns, the cinqueports of *England*, and also the town of *Calais*, with the marches of the same, have endured and suffered, and the great poverty amongst the people of the same considered, for the ease and relief of the same: the King hath ordained, established, granted and enacted by the assent and authority of the said lords spiritual and temporal, and at the request of the said commons, That all manner of liberties, privileges, franchises, powers, jurisdictions, profits, immunities, corporations, munitions, enlargements, annexions, unions, and severings from counties, and making of counties by themselves, and all manner of grants, leases, licences, pardons, discharges, exemptions, releases, fairs and markets (not revoked, repealed, nor adnulled by authority of parliament; or otherwise by process of the law) granted in the times of *Henry* the Fourth, *Henry* the Fifth, or *Henry* the Sixth, late Kings of *England*, in deed and not of right, to any mayor, bailiff or bailiffs, sheriff or sheriffs, mayor and sheriff, sheriff and bailiffs, mayor and bailiffs, commonalty, citizens, mayor and commonalty, mayor, commonalty and citizens, mayor and citizens, mayor and aldermen, and their successors, mayor and citizens, their heirs and successors, bailiffs and citizens, their heirs and successors, mayor and commonalty, their heirs and successors, citizens and their heirs, citizens, their heirs and successors, mayor and aldermen, mayor, aldermen and burgesses, mayor and burgesses, mayor, aldermen and sheriff or sheriffs, mayor, burgesses and their successors, mayor, burgesses, their heirs and successors, mayor, sheriffs and burgesses, mayor, bailiffs and commonalty, aldermen and commonalty, aldermen, bailiffs and commonalty, aldermen and bailiffs, their heirs and successors, bailiffs and commonalty, bailiffs, burgesses, and citizens, burgesses and commonalty, mayor, bailiffs and burgesses, their heirs and successors, and the discreet men, their heirs and successors, portreves, bailiffs and commons, stewards, burgesses, and the discreet men, portreves, barons and men, mayor, barons and commonalty, mayor and barons, barons and commonalty, barons and jurates, barons and jurates men inhabitants, mayors, constables and company of the merchants of the staple at *Calais*, and to every of them, and their heirs, and to the successors of every of them, and to the masters, brethren, and sisters of guilds, and fraternities, masters and commonalty, their heirs and successors, and wardens and masters of crafts, wardens of the commonalty of the mystery of the mercers within the city of *London*, or to any of them before named, and to the successors of

Liberties granted to counties or corporations by their several names.

every of them, having corporation, by whatsoever name or names they or any of them be, or be called or named in any of the said grants: they shall be in like strength and virtue, as if they were granted by any King or Kings lawfully reigning in this realm of *England*, and in like manner and form to have confirmations and grants made, as if they had been granted in the times of the noble King *Edward* the Third, and King *Richard* the Second after the conquest, late lawful Kings of *England*.

Licences or pardons of alienations, or to enter into lands descended after an ancestor's death.

IV. And moreover it is ordained, granted, established and enacted, by the advice, assent and authority aforesaid, That all manner of licences, gifts and grants made by any of the foresaid late pretended kings of *England* to any person or persons, to give, grant, aliene, purchase, or receive any lands, tenements, rents, possessions or other hereditaments holden of any of the said late pretended kings in any manner, or to enter into any lands or tenements, rents, possessions or other hereditaments, after the death of any of their ancestors, without due livery thereof sued by due process, according to the course of the common law of this realm of *England*, (2) or pardons made by any of the said late pretended kings, to any person or persons for any alienations made of any lands or tenements, rents, possessions, or other hereditaments, holden of any of the said late pretended kings of *England*, or pardon or pardons granted by any of them to any person or persons, for any entry or entries made in any lands, tenements, rents, possessions, or other hereditaments, which should descend, revert, remain, or in any other manner should come to them, or any of them, after, or by the death of any of their said ancestors, or any other person or persons, without due livery thereof sued, according to the course of the chancery, and law and custom of this land, (3) or licence made by any of the said late pretended kings of *England*, to any person or persons, to found, erect, or establish any abbey, priory, house of religion, college, chantery, hospital, or other house or spiritual place, or of alms: (4) or licence made by any of the said late pretended kings to any person or persons, to found or erect any fraternity, guild, company, or fellowship, or other body corporate, or to give and grant any lands, tenements, rents, possessions, or other hereditaments, to any person or persons corporate, or having perpetual succession: (5) or licence made by any of the said late pretended kings, to any of these aforesaid, for the acceptance and receipt of any thing by any such gift, grant or licence made by any of the said late pretended kings to any person or persons to hold or retain any advowson, or church in proper use by way of licence or appropriation, or to make any elections, so that any such advowson pertain not to the crown, (6) or pardon or pardons made by any of the said late kings to any body or persons corporate, or having perpetual succession by purchase, inquisition or receipt of any of the premises, or liveries, or restitutions of temporalities made by any of the said late pretended kings to any archbishop,

Licences to found any spiritual place or house, or any fraternity, guild, &c. or to give any lands to them.

Licences of appropriation, or to make elections.

Pardons to corporations, liveries or restitutions of temporalities.

bishop,

bishop, abbot, prior, dean, chapter, or other person or persons spiritual, shall be of like force, virtue and effect, as if the said licences, pardons, and liveries were granted by any King in this realm lawfully reigning, and obtaining the crown of the same by just title: so that the same licences, restitutions, and liveries, were executed in the time of any of the said late pretended kings, in deed and not of right; or if they were executed within the same time in part and not in the whole, that the same licences, as to that part so executed, shall be of like force, virtue, and effect, as if the said licences were granted by any King lawfully reigning in this realm of *England*, and obtaining the crown of the same by just title. (7) And if any of the said late pretended kings, in deed and not of right, hath by his letters patents, or by authority of their parliaments, founded or established any abbey, priory, house of religion, college, chantery, hospital, or any other house or spiritual place of alms, that all such foundations, as to the incorporations and scites of the same, shall be of like force, virtue and effect, as if such foundations were made by any King lawfully reigning in this realm, and obtaining the crown of the same by just title: so that this present article concerning the foundations or establishments aforesaid, or any of them, shall not extend nor be prejudicial in any manner to the King, or to any other person or persons, for any lands, tenements, rents, possessions, or hereditaments, or any manner advowsons in any wise pertaining to the King, or to any other person or persons, other than such which be and make the scite or scites of any such abbey, priory, house of religion, college, chantery, hospital, or other house or place aforesaid.

Founding of religious houses touching the scites of the same.

V. And that all grants and assignments of dower, made by any of the said late pretended kings, to any woman after the death of her husband, to hold for term of her life, or by any letters patents made of special grace by any of the said late pretended kings, or assignments of dower made to any such wife after the death of her husband in the chancery, after the course of the same in the time of the pretended reigns of any of the said late pretended kings, shall be of like virtue, power, and effect, as if the said grants and assignments were made by any King lawfully reigning, and obtaining the crown of the same by just title.

Assignment of dower to any woman during her life.

VI. Provided always, That this present article do not extend, nor in any wise be prejudicial to the King, for any lands, tenements, rents, possessions, or other hereditaments, pertaining to the King, in the right of his crown, the first day of *November* last past.

VII. Provided also, That by this present act no prejudice be done to the dutchess of *Bedford*, as concerning her dower. (2) And whereas any lands, tenements, rents, possessions, hereditaments, or other things have been given to any of the said pretended kings by any person or persons, to the intent that gifts should be thereof made by the said kings, or any of them,

Lands assured in Mortmain by the King, which were given to him to that intent.

by any of their letters patents by way of *Mortmain* for ever, that all grants and letters patents made by any of the same late pretended kings, for the amortising of any lands, tenements, rents, possessions, hereditaments, or other things, shall be of like force, virtue and effect, as if the same grants were made by any King lawfully reigning in this realm, and obtaining the crown of the same by just title: so that any of the said late pretended kings by whom any such letters patents were made, were never seised of and in the said lands, tenements, rents, possessions, or hereditaments, but only by virtue of such feoffments, grants, gifts, or other estates made to them, or any of them.

Lands assured
to the King
by way of re-
compence or
exchange.

VIII. Provided always, That this act extend not to any lands, tenements, rents, possessions, advowsons, hereditaments, or other things that were given to any of the said late pretended kings, by way of recompence or exchange for any lands, tenements, rents, possessions, advowsons, hereditaments, or other things which in any wise pertained to the crown, although no mention were made in any letters patents or other writings of any recompence or exchange.

Collations,
gifts, and pre-
sentations to
benefices dur-
ing the in-
cumbents
lives.

IX. And that all grants, collations, gifts or presentations, made by any of the said late pretended kings to any person or persons not corporate, nor having perpetual succession of any benefice, dignity, church, prebend, hospital or chapele, shall be of like force, virtue and effect, as if the same grants, collations, gifts and presentations were made by any King lawfully reigning in this realm, and obtaining the crown of the same by just title, during the life or lives of the said person or persons being incumbents, possessors or occupiers of the same, or any of them.

The king's
open enemies
and persons
attainted ex-
cepted.

X. Provided always, That those persons which be attainted in this present parliament, and such that be out with the King's enemies, shall take no benefit nor advantage by this act.

Grants of
wards and
marriages.

XI. And that all grants made by any of the said late pretended kings, by any their letters patents, to any person or persons of any wards and marriages, shall be of like force, virtue, and effect, as if the said grants were made by any King lawfully reigning in this realm, and obtaining the crown of the same by just title.

Grants of
fairs and
markets.

XII. And all grants and letters patents made by any of the said late pretended kings, to any person or persons, to have any fair or fairs, market or markets, in any town or towns, place or places, all such grants, and letters patents, as to such fairs and markets, and every of them, shall be of like force, virtue, and effect, as if the same grants and letters patents were made by any King lawfully reigning in this realm, and obtaining the crown of the same by just title.

Grants to
heirs of live-
ries of their
ancestors
lands.

XIII. And also if any person or persons hath sued, obtained, and had any livery by the course of the common law of this realm, or otherwise, of any lands, tenements, rents, possessions, advowsons, or other hereditaments, which should descend, revert, remain, or in any other manner come to them or any of them,

them, by any livery pursued after or by the death of any of their ancestors, or any other person or persons, after the fourth day of *March* last past, that all such liveries shall be of like force, virtue and effect, as they were at the time of the said liveries pursued: so that the said lands, tenements, rents, possessions, advowsons, and other hereditaments, or any parcel thereof, were not pertaining to the King in the right of his crown.

XIV. Provided always, That this article extend not to any lands, tenements, or other things which do pertain or ought to come into the King's hands, by reason of any attainder in this present parliament. And also, That all grants and letters patents made by our lord the King to any person or persons, after the fourth day of *March* last past, of any wards or marriages, of any person or persons being within age, shall be of like force and effect to them and every of them, as they were at the times of the grants and letters patents thereof made to them or any of them: any act or ordinance in this present parliament made or to be made notwithstanding.

Wards or marriages granted by K. Ed. 4.

XV. Provided always, That this article extend not to any wards or marriages of any persons which do pertain or ought to come to the King's hands, by reason of any attainder in this present parliament, (2) and that all grants made by our said sovereign lord the King by his letters patents, after the fourth day of *March* last past, to any of his faithful liege men that were not against him in any field after the first day of his reign, nor against the high and mighty prince, father to the said King, in the field and evil journey of *Wakefield*, of any office or offices which such person or persons by the King's discreet consideration hath deserved, the effect of such grant or grants shall be of like strength and force, as they or any of them were at the time of such grant or grants, letters patents, and every of them made: any statute, act or ordinance, made or to be made in this present parliament notwithstanding.

K. Ed. 4. letters patents made to several persons of offices.

XVI. Provided always, That this act be not prejudicial nor hurtful to any person or persons, for any grant or grants made to them or any of them of any annuity, fee, or pension, or of any deanry, hospital, or benefice, or of any office or offices, in the time of the King's progenitors, with the fees and wages thereto due and accustomed, made by the King by his letters patents sithence the fourth day of *March* last past, his letters patents made of all the offices of serjeants at arms, and of the offices of justices of the one bench and of the other, barons of his exchequer, warden of the rolls of his chancery of *England*, warden of the rolls of his chancery of his land of *Ireland*, clerk of his council, secondary in the office of his privy seal, clerk or warden of his hamper of his said chancery of *England*, keeper of his parks of *Hellesbury* and *Lantgles* in the county of *Cornwall*, clerk of the market of his house, the chirographer and warden of the King's writs and records of his common bench, messengers of his exchequer, glazier, plumber, broiderer, joyner, fletcher within the tower of *London*, chief carpenter within the

Certain officers to whom the King had granted their offices during his pleasure.

K. Ed. 4.

several grants to divers corporations of liberties and other benefits within a certain time.

Feoffments upon trust to the late King, to the use of others.

palace of *Westminster*, receiver of all offices accountable, bailiff of *Haverling*, bailiff of *Surry* and of his auditors in the counties of *Chester* and *Flint*, and of *South-Wales*, purveyor and controller of the search of his port of *London*, warden of his armour in the tower of *London*, maker of his points, constable of his castle or lordship of *Hadleigh*, clerk of his great wardrobe, purveyor of all manner of stuff for his works within his palace of *Westminster*, and the tower of *London*, and the captain of his castle of *Hammes*, excepted. The same letters patent so excepted, to endure and be of strength, virtue, and effect, at the pleasure and will of the King. (2) And also that all confirmations, ratifications, approbations, leases, and grants of all franchises, liberties, privileges, customs, or any other commodities, profits or advantages, and every of them, distinctions, severances from counties, and making of counties by themselves, grants, releases, diminutions and pardon of *fee-farms*, and every of them, made and granted by our said sovereign lord the King, by his letters patents, sithence the fourth day of *March* last past, in relief and benefit of any city, town or borough of this realm, to any mayor, bailiff or bailiffs, sheriff or sheriffs, mayor and commonalty, mayor and citizens, mayor and aldermen, mayor and sheriff, mayor, bailiffs and commonalty, citizens, bailiffs and citizens, their heirs and successors, and the heirs and successors of every of them by whatsoever name or names they or any of them be called or named in the said grants or other the premisses, or any of them, shall be of like force and effect, as they or any of them were at the time of the grants, and letters patents thereof made. (3) And also if any of the said late pretended kings, or any of their ancestors hath been infeoffed by any person or persons, of or in any lands, tenements, rents, possessions, advowsons, or other hereditaments, only upon trust and confidence to refoff the said person or persons, or their heirs or assigns, of any of the same, at such time as they should be thereto required, That all such grants, feoffments, or other estates, made by any of the said late pretended kings, or any of their ancestors, of any such lands, tenements, rents, possessions, advowsons, or other hereditaments, to any such person or persons, their heirs or assigns, or to the heirs or assigns of any of them, shall be of like force and effect in the law, and available to the said person or persons, and to the heirs and assigns of them, and every of them, as they were at the times of the said grants and feoffments, or other estates made to them, or any of them, any act or ordinance in this present parliament made or to be made notwithstanding: so that none of the said pretended kings, nor any of their ancestors, after the last day of the reign of King *Edward* the Third, progenitor of our said lord the King, were at any time seised of the lands, tenements, rents, possessions, advowsons, or other hereditaments, nor of any parcel thereof, but only by virtue of such feoffments made to them or any of them upon confidence in manner and form aforesaid, and in no other manner: and that the same lands, tenements,

rents,

rents, possessions, advowsons, or other hereditaments, and every of them, be holden of the same chief lords immediate, or of their heirs, and by the same services, as they were holden at the time the same feoffments made to any of the said late pretended kings, or to any of their ancestors, any possession of the late pretended kings, or any of their ancestors, after the last day of the reign of King *Edward* the Third, notwithstanding. (4) Provided always, That no person attained in this present parliament take any benefit or advantage thereby. (5) Also, That all letters patents granted and directed by our said lord the King after the first day of his reign, to his chancellor or treasurer of this realm, justices of the pleas to be holden before the King, justices of the common bench, or barons of the exchequer, or to any of them, for the exercise of any such thing as pertaineth to the office or offices, authority and power of them, or any of them, by reason of any of the said letters patents and grants, shall be of like force, virtue and effect, as they or any of them were the first day of *November* last past, any statute, act, or ordinance made in this present parliament notwithstanding: so that the barons of the exchequer shall occupy, or exercise their offices at the King's pleasure, as the justices do. (6) And also, That every commission made, granted, and directed by any of the said late pretended kings in any of their times, to any person or persons to be assigned for the peace in every or any county of this realm to be established and kept, and to hear and determine all manner felonies, trespasses, and other offences specified in the said commissions, and every of them, done or committed in any of the said counties, or to deliver any gaol or gaols within this realm, or in other place or places under the obedience of the crown, of the prisoners being in any of the said gaols in the time of any of the said late pretended kings, or to hear and determine all manner treasons, felonies, trespasses, or other offences done in any of the said counties, or in any place or places under the obedience of the crown of the said realm, specified in every of the said commissions, or for sewers being assigned to survey and to cause to be repaired and amended, walls, marshes, ditches, cutters, causeys, and bridges, and other defaults in any marsh or marshes, in any part of this realm, specified in the same commissions and every of them, and all other commissions made by any of the said late pretended kings, to any person or persons before the fourth day of *March* last past, and all processes, determinations, executions, incidents, admonitions, and other circumstances pertaining to the same commissions and every of them, not void, repealed, and adnulled, shall be of like force, virtue and strength, as if the same commissions and every of them were made and granted by any King lawfully reigning in this realm, and obtaining the crown of the same by just title: so that a special act be made for such persons that were before this time indamaged for the King.

The force of the King's letters patents made to the lord chancellor, lord treasurer, justices, &c. or to the barons of the exchequer.

Commissions of the peace, of gaol-delivery, and to hear and determine, or of sewers, and all other commissions.

XVII. And also, That all manner of acts and ordinances made by authority of any parliament or parliaments holden in time

Acts of parliament for Shrewsbury.

time of any of the said late pretended kings, for the conservation and keeping of the town of *Shrewsbury*, and of the good, peaceable, and quiet rule and government within the said town, betwixt the inhabitants of the same, and every of them, shall be of like force and effect, as if the same acts or ordinances, and every of them, were made in the time of any King or Kings lawfully reigning in this realm, and obtaining the crown of the same by just title.

K. Hen. 6. his grant to the abbot of Biland of the manor of Kilbourn in the county of York.

XVIII. Also whereas the said late pretended king *Henry* the Sixth, in deed, and not of right, king of this realm, by his charter indented under the seal of the dutchy of *Lancaster* sealed, bearing date the twentieth day of *March*, the xxiv year of his usurped reign, did give and grant, and by the same charter confirmed to *William* abbot of *Biland* the manor of *Kilbourn*, with the appurtenances, in the county of *York*, with all the knights fees, views of frankpledge, franchises, liberties, commodities, profits and appurtenances to the same manor in any wife belonging or appertaining, to have and to hold the same manor, with the other premisses to the said abbot, and his successors for ever, yielding therefore to the said pretended king *Henry* the Sixth, and his heirs dukes of *Lancaster*, xxi li. yearly, (where the said pretended king, nor any of his ancestors dukes of *Lancaster*, before the same time were ever answered of the said yearly issues and profits of the same manor, but of xvi li. by year only) the said xxi li to be paid at the feasts of *Pentecost* and *St. Martin* in winter, by even portions, for all secular services, with clause of distress for default of payment of the said rent by half a year, in all the manors, lands, and tenements of the said abbot and convent within the same county, as in the same charter thereof made more plainly appeareth: that all the same charter, gift, and grant shall be until this time, and hereafter to the said abbot and convent, and to their successors, of like force and effect, as they were the first day of *March* last: any act or ordinance made in this present parliament notwithstanding.

Grants to abbots, priors, &c. to make free election.

XIX. And also, That all grants and licences made by letters patents of any of the said late pretended kings, to any abbot and convent, prior and convent, or to any other person or persons, to have and make by free election within themselves at any voidance, abbot or prior, and to be conventual, perpetual, and elective, where before they were dative and removeable, shall be of like strength, virtue and effect, as if the same grants and licences, or any of them, were made by any King lawfully reigning in this realm, and obtaining the crown of the same by just title.

Recognizances and deeds inrolled.

XX. Also, That all records of recognizances and deeds inrolled, had and made in any court or courts of record, or before any justice of record, in the time of the reigns of any of the said late pretended kings, shall be of like force, virtue and effect, as if the same records were had or made in the time of any King lawfully reigning in this realm, and obtaining the crown of the same by just title.

XXI. And

XXI. And also, That all licences and grants made by any of the said late pretended kings to any person or persons, to make, have, inclose and enjoy any park or parks, warren or free chafe, or to embattle, to carnell, to mastol, or to make any tower, castle or fortress, within this realm, shall be of like force, virtue and effect, as if the said grants and licences were made by any King lawfully reigning in this realm, and obtaining the crown of the same by just title.

Licences to make parks, chales, free warrens, or to make castles, towers, or to embattle a house.

XXII. Provided always, That this act do not extend nor be prejudicial to the right noble high and mighty prince, *Cicily* dutcheffs of *York*, mother unto our said sovereign lord the King, of any grant or grants made to her by the King by his letters patents before the first day of this parliament, by whatsoever name or names she shall be called in the same letters patents, but that the same letters patents, and every grant therein contained, be of like force and effect, as they were before the first day of this parliament: this act, or any other made, or to be made in this present parliament notwithstanding.

Cicily, dutcheffs of *York*, mother to the King.

XXIII. Provided always, That this act, nor any article of the same, do not extend to any lands, tenements, possessions, hereditaments, or other things, which the King ought in any wise to have by force of any act of attainder of any person or persons made in this present parliament.

Lands devolved to the King by attainder, or, &c.

XXIV. Provided also, That no person or persons attainted in this present parliament, or being out with the King's enemies, take any benefit or advantage by this act, nor any other act made or to be made in the said parliament.

C A P. II.

Justices of peace may award process upon indictments taken in sheriffs tourns.

ITEM qe come plusieurs del foiall liege people du Roi fibien espirituelx come temporelx par les enordinez & desmesurablez enditementz & presentementz fibien de felonie trespassez & offensez come dautres choses queux de long temps ount este prisez euez & usez deinz les counteez de cest roialme & prisez devaunt viscounteez pur le temps esteantz es counteez severallment lours suthviscounteez lours clerkes bailliffs & lour ministrez al leur tournes ou lawe daies tenuz devaunt eux severallment en les counteez les quelx enditementz & presentementz sont

ALSO whereas many of the King's faithful liege people, as well spiritual as temporal, by the inordinate and infinite indictments and presentments, as well of felony, trespases, and offenses, as of other things, which of long time have been had and used within the counties of this realm, and taken before sheriffs for the time being in their counties severally, under sheriffs, their clerks, bailiffs, and ministers, at their tourns or law-days, holden before them severally in their counties, which indictments and presentments be oftentimes affirmed by jurors having no conscience, nor any freebold, and little goods, and often

The inconveniences of unlawful indictments in sheriffs tourns by mean persons.

13 Ed. 1.
Stat. 1. c. 13.

often by the said sheriffs, menial servants and bailiffs, and their under-sheriffs, by which indictments and presentments the said lawful liege people be attached and arrested by their bodies, and put in prison by the said sheriffs, under-sheriffs, their clerks, bailiffs, and ministers, to the great loss of their goods; and they so being in prison by the said sheriffs, under-sheriffs, their clerks, bailiffs, and their ministers, are constrained to make grievous fines and ransoms, and levy of them great fines and amerciaments for the said indictments and presentments, in great hindrance and utter undoing of the said liege people; (2) after which fines, ransoms, and amerciaments so rated and levied by the said sheriffs, under-sheriffs, clerks, bailiffs, and their ministers, the people aforesaid be enlarged out of prison, and the said indictments and presentments be imbezilled and withdrawn: (3) our said lord the King considering the premises, by the advice and assent of the lords spiritual and temporal, and at the request of the commons in this present parliament assembled, and by authority of the same, hath ordained and stablished, That all manner indictments and presentments that shall be taken hereafter before any of his said sheriffs of his counties for the time being, their under-sheriff, clerks, bailiffs, or ministers, at their tourns or law-days before mentioned, they nor any of them shall have power or authority to attach, arrest, or put in prison, or to levy any fines or amerciaments of any person or persons so indicted or presented, by reason or colour of any such indictment or presentment taken or

fount seivent foitz affermez par jurours null conscience cians no franc tenement & petit des biens & souvent foitz par servauntez menialx & baillifs de les ditz viscountez & lours suthviscountez par quelx enditementz & presentementz le dit soial liege people par les ditz viscountez, suthviscountes lour clerkes baillifs & lour ministres sont attachez arestuz par lour corps & misez en prison au grand dureste de leurs perones et ceux issint esteantz en prison par les ditz viscountez suthviscountes clerkes baillifs & lours ministres le dit soial liege people ensi en prison contrainoat & fount ceux de faire oveqe eux grand fines & raunsons & auxi de ceux levent groundes fines & amerciamentez pur les ditz enditementz & presentementz on grand prejudice & anientissement du liege people avautdit apres quelx fines raunsons & amerciamentz ensi par les ditz viscountez suthviscountes clerkes baillifs & lour ministres issint faitz euez & levez le people avautdit est enlarge hors del prison & les ditz enditementz & presentementz sont aloignes embesiles & sustreitz. Nostre dit soverayn seigneur le Roi les premisses considerez par ladviz & assent des seignurs espirituelx & temporelx & a la request des communes en la dit parlement assemblez & par auctorite dicell ad ordeigne & establie qe toutz manerez denditementz & presentementz quelx seront prisez en aprez devaut aucun des ses viscountez de ses counteez pur le temps esteantz lour suthviscountes clerkes baillifs ou ministres a lour turnez ou lawedaies desuis especifiez naient

lent ne null de ceux ait poair ne auctorite darestier attacher ou mettre en prison ou lever aucuns fines ou amerciementz d'aucun persone ou persones issint enditez ou presentez par reson ou colour d'aucun tiel enditement ou presentement devant ceux ou ascun deux prise ne de faire ou prendre d'aucun tiel persone ou persones issint enditez ou presentez ascun fine ou ransom mes qe les viscountez suisditz leur southviscountz clerkes ou bailiffs & leur ministres toutz autielx enditementz & presentement prizez devant eux ou ascun deux en leurs tournes ou lawedaies desuis nommez amercient presentent & deliverent a les justices du peax au leur prochain session de peax qe sera tenuz en le counte ou counteez ou autielx enditementz & presentementz ferront prizez devant les ditz justices dautiel counte ou countees par le temps esteantz. Et si ascun des viscountez southviscountez clerkes bailiffs & leurs ministres n'ameine delivre & presents pas toutz autielx enditementz ou presentementz issint prizez devant eux & chescun deux en leur turnes ou lawedaies come devant est recitee as tielx sessions de peax devant les ditz justices de peax qe donques toutz tielx viscountez southviscountez clerkes bailiffs & leurs ministres & chescun deux q'ou queux issint fauldra ou fauldront dameignauce delivrance & presentation de tieux enditementz & presentementz forsaice & forsaient au Roy xi li. a tant de soit qe ceux ou ascun deux ferroient ou ferra le contrarie. Et qe les ditz justices de peax aient poair & auctorite

to be taken before them or any of them, nor to make or take of any such person or persons so indicted or presented, any fine or ransom; (4) but that the said sheriffs, and their under-sheriffs, clerks, or bailiffs, and their ministers, shall bring, present, and deliver all such indictments and presentments taken before them, or any of them, in their tourns or law-days aforesaid, to the justices of peace, at their next sessions of the peace that shall be holden in the county or counties where such indictments or presentments shall be taken, before the said justices of such county or counties for the time being: (5) and if any of the said sheriffs, under-sheriffs, clerks, bailiffs, and their ministers, do not bring, deliver, and present all such indictments or presentments so taken before them and every of them in their tourns, or law-days, as before is recited, at such sessions of the peace before the said justices of peace, that then all such sheriffs, under-sheriffs, clerks, bailiffs, and their ministers, and every of them that so shall fail in bringing, delivering, and presenting of such indictments or presentments, shall forfeit to the King forty pounds at every time that they or any of them doth the contrary: (6) and that the said justices of peace shall have power and authority to award process upon all such indictments and presentments, as the law doth require, and in like form, as if the said indictments and presentments were taken before the said justices of peace in the said county or counties, and also to arraign and deliver all such person or persons

Indictments and presentments taken in the sheriffs tourn shall be delivered to the justices of peace of the same county.
11 H. 7. c. 15.

Justices of peace shall award process against them that be indicted in the sheriffs tourn, and arraign and deliver the offenders.

The estreats shall be indented and delivered by the justices of the peace to the sheriff.

persons so indicted and presented before the said sheriffs under-sheriffs, their clerks, bailiffs, and their ministers, or any of them in their tourns or law-days : (7) and all such persons or person which be indicted or presented of trespasss, shall make such a fine as shall seem lawful by their discretions ; (8) and the estreats of the said fines and amerciaments shall be enrolled, and by indenture be delivered to the said sheriffs, under-sheriffs, their clerks, bailiffs, or ministers, or some of them, to the use and profit of him that was sheriff in the said counties or county at the time of such indictments or presentments taken. (9) And if any of the said sheriffs, their under-sheriffs, clerks, bailiffs, or their ministers, do arrest, attach, or put in prison, or cause any fine or ransom to be taken, or levy any amerciament of any person or persons so indicted or presented, by reason or colour of any such indictment or presentment taken before them at their tourns or law-days above rehearsed, before that they have process from the said justices of peace, or estreats delivered out of the said indictments or presentments so brought, delivered, and presented to them, that then the sheriffs which so do, shall forfeit an hundred pounds, (10) the one half thereof to be employed to the expenses of the King's house, and the other half to the party or parties which be or is indamaged, (11) and he or they shall have therefore an action of debt at the common law, and like process as is in an action of debt at the common law. (12) And that the defendant or de-

fendants

auctorite dagarder processe sur toutz tielx enditementz & presentementz come la ley requiert & en fourme semblable si come les ditz enditementz & presentementz feussent prisez devaunt les ditz justices de peax en le dit counte ou countees. Et auxi darrainer & deliverer toutz tielx persones ou persone issint enditez & presentez devaunt les ditz viscountez suthviscountez lour clerks & bailifs & lour ministrez ou ascun deux en lour ditz tournes ou lawdaies et toutz tielx persones ou persone qe sount ou est enditez ou presentez endite ou presente de trespasss desaire oveqe eux & chescun deux tiel fine come loialment par leurs discretions semblera et les estretez de les ditz fines & amerciamentz soient enrollez & par indenture destre deliverez a les ditz viscountz suthviscountz clerkes baillifs ou ministres ou ascun deux al oeps & prouffit celui qi fuist viscount en ascun countee au temps de les ditz enditementz & presentements prisez. Et si ascun des ditz viscountez lour suthviscountez clerkes baillifs ou ministres face arrester attacher ou mettre en prison ou face faire ou prendre ascun fine ransom ou lever amerciament dascune persone ou persones ensi enditez ou presentez par raison ou colour dascun tiel enditement ou presentement devaunt luy a les tournes ou lawdaies desuis recitez prise avaunt qils ount processe de les ditz justices de peax ou estretez deliverez hors de les ditz enditementz ou presentementz issint ameigneiz deliverez & presentez as eux qe adonques lez ditz viscountez qi issint sount forscapt. C. li. une

more

moite dent destre emploiez a lez expensez du lostell de Roy & lautre moite al partie ou parties qe ou quelx est ou sont endamagez et ait ou aient ent action de dette al commune ley & semblable processe come est en action de dette al commune ley. Et qe le defendaunt ou defendautz en tielx sutes ou actions de dette ne soit ou soient effoinez ne gage ou gagent leur ley. Et fil ou ceux ou ascun deux encontre qi ou queux la dite action serra prise offre ou mette offrent ou mettent ascun protection en enpediment ou retardance de les ditz suetes ou actions qil ne soit a luy allowe.

Purveu toutz foitz qe cest present ordeignauce nextende pas ne ne soit prejudiciall en ascun manere a les viscountez del cite de Loundrez ore esteantz ou qenapres ascun foitz serront quaut as ascuns enditementz ou presentementz destre prisez deins la dite cite.

Purveu auxi qe cest ordeignauce nextende pas ne ne soit prejudiciall al ascun persone ou persones qe ad ou ount graunts dascuns fines ou des ascuns amerciementez par ascuns lettres patentez nostre dit souveraigne seignur le Roi ou dascun de ses progenitours ou predeceffours portantz date devaunt le disme jour de Decembr' prochein apres le commencement de cest parlement. Et qe cest ordeignauce nextende pas ne ne soit prejudiciall al ascune persone ou persones aiant ou aiantz ascuns liberties ou franchises par ascuns des ditz lettres patentes ou en autre maner par prescription. Et qe cest ordeignauce soit en la force & commence dapprendre effect a la quarantisme jour prochein apres le vjme jour de May prochein

sendants in such suits, or actions of debt, shall not be effoined, nor wage their law; (13) and if he or they, or any of them against whom this action shall be taken, do offer or cast any protection, or other impediment, in retardation of the said suits or actions, that shall not be allowed unto him.

II. Provided always, That this present ordinance do not extend, nor in any wise be prejudicial to the sheriffs of the city of *London* now being, or which at any time hereafter shall be, concerning any indictments or presentments to be taken within the said city of *London*.

This statute doth not extend to the sheriffs of *London*.

III. Provided also, That this act extend not, nor be prejudicial, to any person or persons, which hath grants of any fines or amerciements by any letters patents of our said sovereign lord the King, or of any of his progenitors or predecessors, bearing date before the tenth day of *December* next after the beginning of this parliament; (2) and that this act and ordinance do not extend, nor be prejudicial, to any person or persons having any liberties or franchises by any of the said letters patents, or in any other manner by prescription. (3) And that this ordinance be in his force, and begin to take effect at the fortieth day next after the sixth day of *May*, next after the beginning of this present parliament, upon the which sixth day the said parliament was dissolved.

Grants of fines made by the King.

achein apres le commencement de cest present parlement le quel
 sime jour le dit parlement fuist dissolve.

Statutes made at Westmynster, Anno 3 Edw. IV.
 and Anno Dom. 1463.

AT the parliament summoned at Westmynster the nine and twentieth day of April, the third year of the reign of our lord King EDWARD the Fourth after the conquest, divers statutes and ordinances, to the honour of God, and of holy church, and for the wealth of the King, and of his people, by the advice and assent of his lords spiritual and temporal, and the commons, in the said parliament assembled, and by authority of the same, were made in the manner and form as followeth.

AU parlement summoné a Westm' le xxix^e jour d'Aprèl lan du reigne nostre seigneur le Roy EDWARD le quart apres le conquest tierce diverses estatutez & ordenauncez a lonour de Dieu & seint esglise & pur le bien du dit Roy & son poeple de ladvis & assent des seignurs esperituelx & temporelx & les communes en le dit parlement esteantz & par lautorite de mesme le parlement furent faitez en manere & forme ensuantz.

CAP. I.

No alien shall export wool, &c. out of this realm; certain ordinances to be observed by denizens in exporting thereof.

Ex edit. Raft.

Wools and
 woofels.

5 R. 2. stat. 1.

c. 3.

14 R. 2. c. 6.

4 Hen 7. c. 10.

FIRST, because that the chief and principal commodity of this realm of England consisteth in the wools growing within the said realm, and to the intent that sufficient plenty of the said wools may continually abide and remain within the realm, which may competently and reasonably serve for the occupation of clothmakers of England and of all the members and branches of the same, whereby the cities, boroughs, and towns, within the same realm fallen in great and pitious desolation ruin and decay by the occasion of idleness, may be (if God will) multiplied in inhabitation, and by labour restored to their ancient joy and prosperity, by which the vices and inconveniences may to the pleasure of God be avoided: our sovereign lord the King, in consideration of the premises, by the advice and assent of the lords spiritual and temporal, and at the request of the commons aforesaid, hath ordained and established, That from the feast of St. John baptist next ensuing, no person alien nor stranger born, by him or any other for him, privy or apert, shall buy or ship any manner of wools or woofels, morling or shorling, within any part of this realm of England or Wales, or them or any of them carry out of the same realm or Wales. Nor that any person stranger alien or denizen, or any other the King's subject, from the said feast, shall carry any wools, woofels, morling or shorling of the growing of the countries or counties on this side the water of Tees, over the same water towards the North, upon pain of forfeiture of such wools, woofels,

Shipping of
 wools.

fels, morling, or shorling: the one half thereof to be had to the profit and use of our said redoubted sovereign lord the King, and the other half thereof to the use and profit of him or them that shall find and lawfully prove such shiping or carriage being contrary to the said ordinance. The wools, woolfels, morling and shorling of the growing of the countie called *Aldertonsbire*, and *Richmondshire* only except. And also he hath ordained and established, That no parcel of the said wools, woolfels, morling or shorling, be shiped or carried to any other place out of the said realm or *Wales*, but only to the town of *Calais*. *Calais*. The wools, woolfels, morling and shorling of the growing of the countie of *Northumberland*, *Cumberland*, and *Westmorland*, and of the growing of the bishoprick of *Durham*, betwixt the waters of *Tine* and *Tees*, and of the said countie of *Alderton* and *Richmond* excepted. And if any person or persons do the contrary thereof, or ship any wools, woolfels morling or shorling, of the growing of any country or countie of the said realm of *England*, except before excepted, on this side the said water of *Tees* or any port or creek of the same water, or in the same water, that then he which shall so ship or carry, or do to be shipped or carryed, shall forfeit and lose all such wools, woolfels, morling and shorling, or the value thereof. The one half of the same forfeiture to be applied to the use of our said sovereign lord the King, and the other half to him that shall prove such forfeiture and seise the same wools, woolfels, morling and shorling. And also the same our sovereign lord the King, by the advice and assent aforesaid, hath ordained and established, That no person, after the said feast, shall ship any wools, woolfels, morling or shorling, of the growing within any of the said countie of *Northumberland*, *Cumberland* and *Westmorland*, or within the said bishoprick of *Durham*, betwixt the said water of *Tine* and *Tees*, or within the said countie called *Aldertonsbire*, and *Richmondshire*, but only at the town of *Newcastle*, upon pain of *Newcastle*. forfeiture of the same wools, woolfels, morling and shorling, the one half thereof to our said sovereign lord the King, and the other half to any of the King's liege people, inhabiting in the town of *Newcastle*, which shall seise the said forfeiture to be applied to the use and profit of the same town. And also by the assent and authority aforesaid it is ordained and established, That no person from the said feast, privily nor apertly shall convey or carry, or do to be conveyed or carried any wools or woolfels out of this realm of *England* or *Wales*, to any other place than to *Calais*, except the wool and woolfels before excepted, upon pain of imprisonment by two years, and to forfeit the value of the same wools and woolfels, the one half thereof to be paid to the use of our said sovereign lord the King, and the other half to any of his liege people, which shall espy such forfeiture and sue for the same. And that he have thereof an action of debt as well for our sovereign lord the King as for himself of the said value of the forfeiture aforesaid, to be had and pursued in the country where such forfeiture shall happen: in which action

the

Staple of
Calais.

Plate and
Bullion.

Merchant of
the staple.

Winding of
wool.

the defendant shall not be received to wage his law, nor no es-
 soin nor protection for the same defendant to be allowed. And
 moreover the same our sovereign lord the King hath ordained
 and established, by the assent and authority aforesaid, That no
 merchant of the said staple of *Calais*, by himself nor by none
 other person for himself, shall sell or utter from the feast of St.
Michael the archangel next ensuing, any wools, woolfels, mor-
 ling, or shorling, or any other merchandises of the staple to the
 said staple, but that he before, or upon the delivery of the same,
 receive and take ready payment and contentation for the same
 wools, woolfels, and other merchandises of the said staple in
 hand, whereof the half part shall be in lawful money of *England*,
 plate or bullion of silver or gold, and all the same money duly
 to bring into this realm of *England*: and the plate and bullion
 so received do duly to be coined at the mint of *Calais*. And all
 the money thereof made and coined, duly bring into *England*
 within three months next after the aforesaid sale, upon pain to
 forfeit for every sack of wool v. marks, and for every CC. xl.
 woolfels otherwise sold five marks. And for the contrary sale of
 every half sack of wool, or any other quantiry of wool, and
 every Cxx. woolfels, and every other number thereof, after the
 rate and quantity of the said five marks. And that no mer-
 chant of the said staple, from the said feast of Saint *Michael*,
 shall sell, utter, nor aliene his property of the said merchandises
 of the said staple, nor no parcel of the same, to any place
 out of this realm, other than to the said staple of *Calais*. Pro-
 vided always, That if the said money ordained by this ordi-
 nance to be brought into this realm, be drowned in the sea, or
 taken away by enemies in the sea, or if the bringing thereof be
 let by contrary wind or tempest: That then if the same money,
 whole bringing shall be let by such wind or tempest, brought in-
 to this realm of *England* as soon as convenient passage for the
 same may be had, then the merchant owner of the same shall in
 no wise be endamaged by the occasion of the not bringing
 the same money as afore is said. And moreover because that
 daily great deceit is done in the winding, wrapping and making
 fleeces of wool within this realm, by the owners of the same
 wool, by putting in the same fleeces locks of wool, and pieces
 of worse wool than the fleece is, and also putting in the same
 fleeces tarr, stones, sand, grafs, or dirt, to the great damage of the
 buyer of the same wool within this realm of *England*, and to the
 great reproof and damage of the merchants of this realm of *Eng-
 land*, which carry the same wools out of the said realm: our so-
 vereign lord the King hath ordained and established by au-
 thority aforesaid, That every person within this realm of *Eng-
 land*, that will sell any wools in any part within the same realm
 of *England* by way of sale, from the said feast of Saint *John* or-
 dained and provided, that the same wool be well and lawfully
 wound, without doing any deceit in the same, upon pain to for-
 feit to the King for every such fleece, in which any such default
 shall be found, six pence. And that the justices of peace of our
 sovereign

sovereign lord the King in every county, city, and town of this realm of *England*, have authority and power to enquire of the Justices of the said defaults as well by due examination as otherwise. More-over he hath ordained and established by the authority aforesaid, That no person, inhabiting within this realm of *England*, other than merchants strangers, from the said feast of Saint *John*, shall freight nor charge within this realm of *England* or *Wales*, any ship or other vessel of any alien or stranger, with any merchandises to be carried out of the said realm of *England* or *Wales*, Merchants nor shall bring into the same, if he may have sufficient freight strangers. in the ships or vessels of denizens of this realm, upon pain to forfeit the same merchandises, the one half to our said sovereign lord the King, and the other half to him or them, which shall Ships. seise the same merchandises. And that this present statute and ordinance, concerning wools and woolfells, morling and shorling, and also the receipt of *Bullion* and the bringing in of money, and also shipping in the ships of denizens, shall be in their force virtue and strength by three years next following the said feasts of Saint *John* and Saint *Michael* next coming in all things according to the intent above declared and specified.

CAP. II.

A restraint of bringing corn into this realm, until it shall exceed certain prices.

WHEREAS the labourers and occupiers of husbandry ^{Corn.} within this realm of *England* be daily grievously endamaged by bringing of corn out of other lands and parts into this realm of *England*, when corn of the growing of this realm is at a low price: our redoubted sovereign lord the King considering the premises, by the advice, assent and authority aforesaid, hath ordained and established, That no person from the feast of Saint *John* the Baptist next coming shall bring or convey into any place or port of this realm, by way of merchandise, nor otherwise, any wheat, rye, or barley, which is not of the growing of this land, or of any isle pertaining to the same, or of the growing of the country of *Ireland* or *Wales*, at any time that the quarter of wheat doth not exceed the price of six shillings eight pence. The quarter of rye doth not exceed the price of four shillings. And the quarter of barley three shillings of lawful money of *England*, within the place or port where such wheat, rye, or barley shall happen to be brought, upon pain of forfeiture of the said wheat, rye, and barley. The one half to the use of our sovereign lord the King, and the other half to him which shall happen to seise such wheat, rye, or barley. Provided al-ways, That this act extend not to any wheat, rye, or barley ^{Repealed by 21 Jac. 1. c. 28.} taken by any of the King's liege people upon the sea, without fraud or covin.

CAP. III.

Whosoever shall bring into this realm any wrought silk to be sold, concerning the mystery of silk-workers, shall forfeit the same, and x. li.

Silk women.
33 H. 6. c. 5.
22 Ed. 4. c. 3.
1 R. 3. c. 10.
1 H. 7. c. 9.

Wrought silk.

ITEM, it was shewed in this present parliament to our sovereign lord the King, and to the lords of the parliament, by the silk-women, and spinsters of silk within the city of London, That divers Lombards and other aliens strangers, imagining to destroy their crafts, and all such virtuous occupations for women within this land, to the intent to enrich themselves, and to put such occupations into other lands, daily bringing into this realm of England wrought silk, wrought ribbands, and laces falsely and deceitfully wrought, corfes of silk, and all manner of other things touching the same mysteries and occupations ready wrought, and will not bring in any unwrought silk as they were wont to do, to the final destruction of the said occupations and mysteries: our said most redoubted sovereign lord the King considering the premisses, by the advice, assent, and authority of the lords spiritual and temporal, and at the request of the commons aforesaid, hath ordained, enacted and established, That if any Lombard, or any other person stranger or denizen bring or do to be brought by way of merchandise any wrought silk, thrown ribbands, laces, corfes of silk, or any other thing touching or concerning the mystery of silk workers in any part or place of this realm of England from beyond the sea: that then the same wrought silk, thrown ribbands, laces, corfes, and other things so brought and wrought, touching the same mystery, shall be forfeit: and that every seller of any of the things above named, brought as before is said, shall forfeit for every default ten pound, the one half thereof to be levied and had to the use of the expences of the King's house, and he that will sue for the same, shall have the other half of the same forfeiture. And that it be lawful to every person or persons of the King's liege people to have and maintain an action or actions of debt at every time, as well for the same forfeiture of the said ten pound, as for the thing so forfeit: and process of outlawry in the same and all other processes as in an action of debt at the common law, and that in the same no protection nor essoin to be allowed. And that the mayor of the said city then for the time being, have sufficient power and authority to assign two, three, or four sufficient and credible men of the same city by his discretion, to be sworn upon a book to make due search within the same city and the liberty thereof, as often as to them shall seem expedient of all things had or done contrary to the premisses. And they to make due relation to the mayor and aldermen of the said city for the time being, for more plain information in this behalf to our said sovereign lord the King, and to those persons which will sue for the same. And that this said ordinance abide and be in his force and take effect at the feast

feast of Saint *Peter* called *Ad vincula* next coming. And this ordinance shall endure till the end of five years next ensuing.

CAP. IV.

Certain merchandises not lawful to be brought ready wrought into this realm.

ITEM come en le dit parlement par lartificers des mestiers mainuelx hommes & femmes en la cite de Loundres & autres citeez villez burghs & villages deins cest Roialme & Gales inhabitauntz & reseautz piteousment ad este monstre & compleigne coment toutz ceux en general & chescun deux sont grandement empoverez & grevousment endamagez & prejudicez de lour encrece du mond & vivre cotidian par la graund multitude des divers chaffres & wares a leur mestiers & occupations apparteignauntz esteantz pleinement overez & prest faitz al vende sibien par les mains deftraungez esteantz enemies du Roy come autres en cest roialme & Gales de la le mere amefnez sibien par merchantz estranges come deinszeins & autres perones dount la greindre part en substance est deceivable & nient vaillable en regard del occupation ou prouffit dascun a cause de qoy les ditz artificers par leurs mestiers & occupations vivre ne poient sicome es jours passez ils soloient mes plusours de ceux sibien hostielx tenauntz come conductz & autres servauntes & apprentises en grand nombre cestuy jour sont enoccupiez & en grand udiste poverté & ruine vivent cheitivement dount plusours enconveniences ount devaunt cest temps avenuz et plusours enapres sont semblablez avenirs qe Dieu defende si remede ent ne soit pur-

ITEM, whereas in the said parliament, by the artificers of manual occupations, men and women, inhabiting and resident in the city of London, and other cities, towns, boroughs, and villages within the same realm of England and Wales, it hath been piteously shewed and complained, how that all they in general, and every of them, be greatly impoverished, and much hindred and prejudiced of their worldly increase, and daily living, by the great multitude of divers commodities and wares pertaining to their mysteries and occupations, being fully wrought, and ready made to sale, as well by the hands of strangers, being the King's enemies, as other in this realm and Wales, fetched and brought from beyond the sea, as well by merchant strangers, as denizens and other persons, whereof the greatest part in substance is deceitful, and nothing worth in regard of any man's occupation or profit; (2) by which occasion the said artificers cannot live by their mysteries and occupations, as they have done in times past, but divers of them, as well householders as hirelings, and other servants and apprentices in great number, be at this day unoccupied, and do hardly live, in great misery, poverty, and need, whereby many inconveniences have grown before this time, and hereafter more be like to come (which God defend) if due remedy be not in this behalf provided; (3) our redoubted sovereign lord the King, considering the premisses, and willing in this case

case to provide remedy, by the advice, assent, and authority aforesaid, hath ordained, enacted, and established, That no merchant, born a subject of our said lord the King, denizen, or stranger, nor other person, after the feast of Saint Michael the archangel next coming, shall bring, send, nor convey, nor cause to be brought, sent, nor conveyed, into this realm of *England*, and seigniorie of *Wales*, any of the chaffers, wares, or things underwritten; that is to say, any woolen caps, woolen cloths, laces, corles, ribbands, fringes, of silk and of thread, laces of thread, silk twined, silk in any wise embroidered, laces of gold, *Tires of silk* or gold, saddles, stirrups, or any harnesses pertaining to saddles, spurs, bosses of bridles, aundirons, gridirons, any manner of locks, hammers, pinions, fire-tongs; dripping pans, dice, tennis-balls, points, purses, gloves, girdles, harness for girdles, of iron, latten, steel, tin, or of alkemine, any thing wrought of any tawed leather, any tawed furs, buscans, shoes, galoches, or corks, knives, daggers, wood-knives, bodkins, sheers for taylors, scissars, razors, sheaths, playing cards, pins, pattins, pack-needles, any painted ware, forcers, caskets, rings of copper, or of latten gilt, chaffing-dishes, hanging candlesticks, chaffing balls, sacring bells, rings for curtains, ladles, scummers, counterfeit basons, ewers, hats, brushers, cards for wool, blanch iron thread, commonly called and named *White Wire*, or any of those wares or chaffers, to be uttered and sold within the same realm of *England*,

purveu. Nostre dit souverain seigneur le Roy les premisses considerant de ladvis assent & autorite suisditz ad ordeigne & establee qe null merchant neez subgiect du Roi deinsfein nestraunge ne aucune autre persone apres le fest de Seint Michell larchangell prochain avenir amesme maunde ne convoie ne cause dasmener maunder ne convoier en cest roialme d'Engleterre & seignourie de Gales aucuns de cestes wares ou choses desoubz escriptez cestassavoir aucuns bonettes lanuz aucuns draps lanuz laces corles ribans fringes de soie & de file laces de file soie enfile soie en aucun maner enbraudez laces dor tires de soie ou dor sellez estrivens ou aucuns herneise regardant as fellers esperons moleins pur freines aundirons gredimes aucuns maners ferures martens vulgarement nommez hamers pinions firetonges drepyngranes dises tenys balles pointes laces burles gauntz ceindetes harnois par ceindetes de ferre de laton dasser destains ou de alkemine aucune chose overee dascun quierre tawe aucun maner pellure tawe huseans solers garloges ou corks cotels daggers wodeknyves botkyns therres pur taillours cisours rasours sheethes cardes a juer espinges patins egules pur saccs vulgarement nommez paknedles aucune manere ware depeinte forcers caskettes aneus de coper suisorre ou de laton ou chauffyndishes chaundelers pendantz ou estantz lavours pendantz chaufsingballes sakeringbelles aneus pur curteins ladels scumers counterfeit basyns ewers hattes brushers cardes pur laine ou blanc file de ferre vulgarement nome Whitewyre ou aucuns de ceux

Certain merchandises not lawful to be brought into this realm ready wrought.

1 R. 3. c. 12.
22 Ed. 4. c. 3.

27 Eliz. c. 11.
This act in force so far as it relates to playing cards, and dice.

10 Ann. c. 19.
f. 167. but see
3 Geo. 1. c. 7.

Enforced as to cards for wool, by 13 & 14 Car. 2. c. 19.

ceux destre utterez & venduz deinz cest roialme ou Gales par voie de merchandise sur peine de forfeire ceux & chescun de ceux a chescun foitz & a tauntz de foitz come ils pussent estre trovez en les mains dascune persone ou persones destre venduz lune moite ent au Roi & lautre moite a celuy qi ceo primes seisera pur le Roi mesme la moite issint seisie pur le Roi destre deliveree par le dit seisor ent a leschetour del countee ou lieu lou dite seisine sera per endentures entre ceux affairez a respondre ent duement en son accompt.

Purveu toutz foitz qe si aucuns des ditz wares ou chaffares hors de cest terre faitz soient sur le mere prizez sanz fraude ou collusion ou veignent en cest roialme ou Gales par voie de wrec qe ceux en nulle manere soient comprisez deinz cest ordenaunce mes qe les pussent estre venduz deinz cest roialme ou Gales cest ordenaunce nient obstant.

Purveu auxi qe toutz wares & chaffares faitz & overez en Irland ou Gales puissent estre amefnez & venduz en le dit roialme dEngleterre sicome ils soloient devaunt la seisaunce de cest ordenaunce cest ordenance nient obstant.

Et auxi ad ordeigne & enacte par lauctorite suifdit qe les maistres ou gardeins pur le temps esteantz de chescun arte & mestier en chescun citee burgh ville & village lou ascun tiel arte ou mestier est usee ou occupie aient sufficient poair & auctorite en chescun tiel citee burgh ville & village lou que ceux pur le temps esteantz serront maistres ou gardeins dascune i el arte ou mestier & le maire dautiel

land, or in the county of *Wales*, by way of merchandise, (4) upon pain to forfeit the same merchandises at every time, and as often as they may be found in the hands of any person or persons to be sold; the one half of the same forfeiture to be paid to the use of our lord the King, and the other half to him that will first seise the same for the King; (5) the same half by him so seised for our lord the King to be delivered by the said seisor thereof to the escheator of the county or place where the same seising shall be, by indenture betwixt them made, duly to answer thereof in his accompt.

II. Provided always, That if any of the said wares or chaffers made out of this land, be taken upon the sea without fraud or collusion, or come in this realm of *England*, or the country of *Wales*, by way of wreck, that those be in no wise taken within this act or statute, but that they may be sold within this realm of *England*, or *Wales*, this act or statute notwithstanding.

A proviso for such wares as be taken upon the sea, or by wreck.

III. Provided also, That all wares made and chaffers made and wrought in the land of *Ireland*, or *Wales*, may be brought and sold in this realm of *England*, as they were wont before the making of this statute, this act or statute notwithstanding.

IV. Also our lord the King hath ordained and stablished, by the assent and authority aforesaid, That the masters and wardens for the time being, of every craft and mystery in every city, borough, town, and village where any such craft or mystery is used or occupied, shall have sufficient power and

The chief officers of cities, &c. shall have authority to search for defective wares.

authority in every such city, town, borough and village, where they for the time being shall be wardens or masters of any such craft or mystery, and the mayor of such city, borough, town, or village for the time being, if any mayor be, or the bailiffs or bailiff of any such city, borough, town, or village for the time being, if any bailiffs or bailiff there be and no mayor, or serjeant, or any other officer to them assigned by the said mayor, bailiffs, or bailiff, in every such city, borough, town, and village, where any such craft or mystery is used or occupied, where no such masters nor wardens of any such craft or mystery be, that the masters or wardens of the crafts and mysteries of the city, town, borough or village next adjoining to the same, and the constable of such city, town, borough, or village, shall have power and authority to search in their own crafts and mysteries, and in all other crafts and mysteries, uttering by way of sale any of the aforesaid wares, as well within cities, boroughs, towns, and villages of the same realm of *England*, and of the country of *Wales*, as within the liberties and franchise of the same cities, boroughs, towns, and villages, at all times reasonable by the day, at fairs and markets, shops open, and warehouses, all such manner of wares, chaffers, and merchandises pertaining to every of their proper crafts and mysteries, which shall be made by any alien, artificer, man or woman, or any other person or persons within the same realm of *England* or *Wales*, or which at any time

dautiel citee ville burgh ou village pur le temps esteant si aucun maire y soit ou les bailiffs ou baillif dautiel citee ville burgh ou village pur le temps esteantz si aucuns baillifs ou baillif y soit ou soient & null maire ou sergeant ou autre officier a ceux assigne par les ditz maire baillifs ou baillif & en chescun citee ville burgh & village lou aucun tiel arte ou mestier est usez ou occupez en quell nulles tielx maistres ne gardeins dascune tiel arte ou mestier sount qe les maistres ou gardeins des artes ou mestiers del citee ville burgh ou village a icelluy prochain adjoignaut & le constable dautiel citee burgh ville ou village aient poair & auctorite de sercher en leur propres artes & mestiers & en toutz autres artes & mestiers uttrantz par voie de vende aucuns de les ditz chaffares sibien deinz citees burghs villes & villages de cest roialme & Gales come deinz les libertees & fraunchises mesmes les citees burghs villes & villages a tout temps resonable par jour es feires & merchees shoppes overtez & warehouses toutz maners tielx chaffares wares & merchandises a chescun de leur propres artes & mestiers appurtenauntz quelles ferront faitz par aucun alien artificer homme ou femme ou aucun autre persone deinz cest roialme ou Gales ou quelles ou aucun temps serrount occupez par aucun des mesmes les artes ou mestiers en qike mains qils puissent estre trovez.

Purveu toutz foitz qe les ditz maistres gardeins & autres en la dite ordenaunce nomez destre sercheours neurent pas en

en aucun lieu exempt par privilege franchise ou custome de faire en icell aucun serche come devaunt est dit sinon par surveu d'aucun officer de chescun autiel lieu issint exempt lou aucun tiel serche destre fait avendra. Et si les ditz sercheours par mesme le serche trouvent que tielz chaffares wares ou merchandises ou aucune part ent ne soit ou soient purez loialx & ables chaffares wares ou merchandises & droitement faitz & overez sicome ils duissent estre & ceo duement prove que adonques y lirra as tielx sercheours de prendre & seiser come chose forfait toutz tielx chaffares wares & merchandises queux issint ferront trovez nient bons purez loialx ou ables ne droitement overez lune moite ent au Roi d'apperteigner & lautre moite ent au tielx maistres ou gardeins. q'i issint ferront serche & ceo troveront. Et que cest present ordonnance les ditz artificers concernant estoise & soit en son force auxi longement come y plerra a nostre seigneur le Roy.

Purveu auxi que ne cest ordonnance & acte he null autre ordonnance ou acte fait ou affaire en cest present parlement extende ne ne soit prejudicial ou damageous a Robert Stillington clerk dean del franc chapell du Roy de seint Martyn graund de Loundres ne a ses successeurs du dit chapell enapres pur le temps esteantz en aucun manere ne a le dit Robert deane & chapitre de mesme la chapell come en & pur toutz maners privileges libertees franchises droites & custumes as eux apperteignantz en aucun manere devaunt mesme cesty parlement ne al aucune pur

time shall be occupied by any of the said crafts or mysteries, in whose hand soever they may be found.

V. Provided also, That the said masters, wardens, and other named in the said ordinance to be searchers, shall not enter in any place exempt by privilege, franchise, or custom, to make in the same any search, as is aforesaid, but by the oversight of some officer of every such place so exempt, where any such search shall happen to be made. (2) And if the said searchers by the same search do find, That such chaffers, wares, or merchandises, or any part thereof, be not pure, lawful, and able chaffers, wares, or merchandises, and duly wrought and made, as they ought to be, and that sufficiently proved, that then it shall be lawful to such searchers, to take and seise all such chaffers, wares and merchandises, which shall be so found not good, pure, lawful or able, nor well wrought, as a thing forfeit; (3) the one half of the same forfeiture to be paid to the use of our lord the King, and the other half thereof to such masters or wardens which so shall make search and find the same. (4) And that this present ordinance or statute concerning the said artificers stand, and be in his force, as long as shall please our sovereign lord the King.

Wares and merchandises that be not lawful, shall be forfeit.

Qu. How far the act continues in force?

VI. Provided always, That this ordinance and act, nor any other ordinance or act made, or to be made, in this present parliament, shall extend or in any wise be prejudicial or hurtful to Robert Stillington, clerk, dean of the free chapel

The liberties of Great Saint Martin's in London reserved.

chapel of our lord the King, of *St. Martin le Grand of London*, nor to his successors of the said chape hereafter for the time being in any manner; (2) nor to the said *Robert*, dean and chapiter of the same chape, as in and for all manner of privileges, liberties, franchises, rights and customs in any manner pertaining to them before this parliament; (3) nor to any person or persons dwelling or inhabiting, or which shall hereafter inhabit and dwell, within the sanctuary and precinct of the same chape, and especially within the lane commonly called *St. Martin's Lane*.

5 El. c. 7.
13 & 14 Car. 2.
c. 13.

CAP. V.

What kind of apparel men and women of every vocation and degree are allowed, and what prohibited to wear.

Ex edit. Raft
Apparel.
Repealed,
22 Ed. 4. c. 1.
3 H. 8. c. 14.
7 H. 8. c. 6.

ITEM, prayen the commons in the said parliament assembled to our said sovereign lord the King, to reduce to his gracious remembrance, that in the times of his noble progenitors divers ordinances and statutes were made in this realm of *England* for the apparel and array of the commons of the same realm, as well of men as of women, so that none of them ought to use or wear any inordinate and excessive apparel, but only according to their degrees: which statutes and ordinances notwithstanding, for default of punishment and putting them in due execution, the commons of the said realm, as well men as women, have worn and daily do wear excessive and inordinate array and apparel, to the great displeasure of God, and impoverishing of this realm of *England*, and to the enriching of other strange realms and countries, to the final destruction of the husbandry of this said realm: our said sovereign lord the King, by the advice and assent of the said lords, and at the special request of the said commons assembled in the said parliament, and by authority of the same, hath ordained and established, That no knight, under the estate of a lord, other than lords children, nor no wife of such knight, from the feast of the purification of our lady, which shall be in the year of our Lord God one thousand four hundred sixty five shall wear any manner cloth of gold, or any corse wrought with gold, or any furr of fables. And if any such knight do the contrary, or suffer his wife or child (the same child being under his rule and governance) to do the contrary, that then he shall forfeit for every such default xx. li. to the King. And also that no bachelor knight, nor his wife, from the said feast, shall wear any cloth of velvet upon velvet, but such knights which be of the order of the Garter and their wives, upon pain to forfeit to the King's use for every such default twenty marks. Also that no person under the state of a lord, from the said feast wear any manner cloth of silk, being of the colour of purple, upon pain to forfeit to the King for every

every default x. li. Also that no esquire nor gentleman, nor none other under the degree of a knight, nor none of their wives, except the sons of lords and their wives, and the daughters of lords, esquires for the King's body, and their wives, shall wear from the said feast any velvet, satin branched, nor any counterfeit cloth of silk resembling to the same: or any corse wrought like to velvet or satin branched, or any furr of ermine, upon pain to forfeit for every default ten marks to the King's use. And that no esquire nor gentleman, nor none other under the degrees above rehearsed, shall wear from the said feast any damask or satin except the menial esquires, sergeants officers of the King's house, yeomen of the crown, yeomen of the King's chamber, and esquires, and gentlemen having possessions to the yearly value of xl. li. and their wives, and widows having like possessions, and the daughters unmarried of persons having possessions to the value of a hundred pounds by year, upon pain to forfeit to the King for every default a hundred shillings. Provided always, That the steward, chamberlain, treasurer, and comptroller of the King's house, and knights for his body and their wives, may wear furs of fables and ermines. And that the mayors of the city of *London*, which be or have been, or hereafter for the time shall be, and their wives, may wear such array as before is limited to bachelor knights, and to their wives. And that such which be or have been, or for the time shall be, aldermen or recorders of the same city, and all mayors and sheriffs of the cities, towns, or boroughs of this realm of *England*, such as be counties corporate, and all mayors and bailiffs of all other cities, and of every of the five ports, and the barons of the same ports, such as have been chosen and assigned, or hereafter shall be chosen and assigned to do their service at the coronation of the King our sovereign lord, or of my lady the Queen. And mayors of boroughs corporate, being shire towns, and the mayors and bailiffs of *Colchester* and *Lynn*, and the recorders of the said cities, boroughs and towns, being counties corporate, and of all other cities now being recorders, or which have been or in time to come shall be, and the aldermen of the same and their wives in like manner, may use and wear such array as before is limited to esquires and gentlemen before specified, having possessions to the yearly value of forty pounds. And also our said sovereign lord the King hath ordained and stablished in this present parliament, That no man but such as have possessions to the yearly value of forty pounds or above, shall wear from the said feast any furr of martrons letuse pure gray or pure myniver, nor no wife, son, daughter, nor servant of any man, (the same son or daughter being in his rule and governance) nor no widow but such as hath possessions of the said yearly value of forty pounds, shall use nor wear any of the said furs, or any girdle garnished with gold or silver, in any part of the same gilt, or any corse of silk made out of this realm of *England*, or any coverchiefs, whereof the price of a plite shall exceed the sum of iii. shillings four pence, upon pain to forfeit to the King for every

every default thereof, five marks. Provided always, That the said menial esquires, sergeants, officers of the King's house, yeomen of the crown, yeomen of the King's chamber, and esquires and gentlemen, having possessions of the said yearly value of forty pound, and the aforesaid mayors, recorders, aldermen, sheriffs, and bailiffs of every of the said cities, towns, and boroughs, and the said barons of the five ports of the realm of *England*, and also their wives may wear the said furs of martrons, foyns, letuse, pure gray, or pure miniver, and also that their said wives may use and wear gilt girdles, and coverchiefs, of the price of five shillings the plite. Moreover, he hath ordained and stablished, That no man but such as hath possessions of the yearly value of xls. shall wear in array for his body, from the said feast, any fustian, bustian nor fustian of *Naples*, scarlet, cloth in grain, nor no furr but black or white lamb. All mayors, aldermen, sheriffs, barons of the five ports, bailiff of cities and boroughs, and other before provided and their wives, and the menial servants of yeomens degree, of lords and knights, esquires, and other gentlemen having possessions of the said yearly value of forty pounds, except upon pain of forty shillings to be forfeit to the King for every such default. Also he hath ordained and stablished, That no yeoman, nor none other person under the same degree, from the said feast of *St. Peter* called *ad vincula* which shall be in the year of our Lord M.CCCC. lxxv. shall use nor wear in array for his body, any bolsters nor stuffing of wool, cotten, nor cadas, nor any stuffing in his doublet, but only lining according to the same, upon pain to forfeit to the King's use for every such default six shillings and eight pence. Also our said sovereign lord the King, by the advice and assent aforesaid, hath ordained and stablished, That no knight, under the estate of a lord, esquire, gentleman, nor none other person, shall use or wear from the feast of *All Saints*, which shall be in the year of our Lord M.CCCC. lxxv. any gown, jacket, or coat, unless it be of such length that the same may cover his privy members and buttocks, upon pain to forfeit to the King for every default twenty shillings. Also by the assent aforesaid, it is ordained, That no taylor after the said feast, shall make to any person, any gown, jacket, or coat of less length, or doublet stuffed contrary to the premisses, upon the same pain for every default. And also hath ordained and stablished, in the said present parliament, That no knight under the state of a lord, esquire, gentleman, nor other person, shall use nor wear, after the said feast of *St. Peter*, any shoes for boots having pikes passing the length of two inches, upon pain to forfeit to the King for every default, three shillings and four pence. And if any shoemaker make any pikes of shoes, or boots after the said feast of *St. Peter*, to any of the said persons, contrary to this ordinance, he shall likewise forfeit to the King for every default four shillings four pence. Also he hath ordained and stablished, by the advice and assent aforesaid, That no servant of husbandry, nor no common labourer nor servant, nor any

any artificer dwelling out of a city or borough, after the said feast of *All Saints*, shall use nor wear in their clothing any cloth, whereof the broad yard shall pass the price of two shillings, nor that any of the said labourers nor servants suffer any of their wives to wear after the same feast, any cloathing of higher price than before is limited to their husbands, nor that they suffer any of their said wives, after the same feast, to wear any coverchiefs, whereof the price of the plite shall pass twelve pence, nor that none of the same servants nor labourers, after the same feast, shall wear any close hosen, whereof the pair shall pass in price fourteen pence, nor that the same servants nor labourers, nor none of their wives, from the said feast, shall wear any girdle garnished with silver, upon pain to forfeit for every default to the King three shillings four pence. And because that coverchiefs daily brought into this realm do induce great charge and cost in the same, and in effect in waste, our said sovereign lord the King, by the authority aforesaid, hath ordained and stablished, That no person, after the feast of *St. Michael* the archangel, which shall be in the year of our Lord one thousand five hundred sixty five, shall sell in any part within this realm, any lawn, niesles, umple, or any other manner of coverchiefs, whereof the plite shall exceed ten shillings, upon pain to forfeit to the King for every plite sold at an higher price, thirteen shillings and four pence. Also he hath ordained and stablished, That the justices of peace of every county, mayors of cities and boroughs within this realm, shall have authority and power, to enquire, hear and determine all and every of the said defaults and forfeitures, as well by enquiry, as by due examination of every of the said offenders contrary to this ordinance. And the matters and causes concerning the said offences and forfeitures to determine by like process and in like manner and form before attainder in this behalf as is commonly used by them of a trespass done with force and arms against the King's peace, and after the attainder like execution. And if any matter, touching any of the said offences, be removed of any of the said justices of peace, or mayors, before the King, that then the justices assigned for pleas before the King to be holden, shall have power to award such process and execution in this behalf, as before is limited. Also he hath ordained and stablished, That all the said forfeitures, and every of them, shall be levied, applied, and employed to the use and expences of the King's house. Provided always, That this statute of array be in no wise prejudicial or hurtful to any person, of and for wearing of any ornament, vesture, or apparel in doing of divine service, and attending to the same. Nor that this ordinance extend to the justices of any bench of our sovereign lord the King, master or warden of the rolls, master of the King's chancery, barons of the King's exchequer, nor chancellor of the same, which now be, or hereafter shall be, nor to any of them. Provided also, That the scholars of the universities of this realm and scholars of any university out of this realm, may wear such array as they may

wear by the rule of the said universities, notwithstanding this ordinance. Provided also, That henchmen, heralds, pursuivants, swordbearers to mayors, messengers, and minstrels, nor none of them, nor players in their interludes, shall not be comprised within this statute. Nor no persons as for wearing of any purples, broches, or crowns for caps of children, shall be comprised within the same. Provided also, That this ordinance do in any wise extend to any manner of array necessarily to be worn in war, or in the seats of the same.

Statutes made at *Westminster*, Anno 4 EDW. IV.
and Anno Dom. 1464.

OUR lord King Edward the Fourth after the conquest, at his parliament summoned at Westminster the nine and twentieth day of April, in the third year of his reign, and by divers prorogations and adjournments continued till the one and twentieth day of January, in the fourth year of his said reign, on the same one and twentieth day of January, to the reverence of God, and for the wealth of him and his people, by the advice and assent of his lords spiritual and temporal, and at the special request of his commons being in the said parliament, hath ordained and established certain statutes and ordinances in manner and form following.

NOSTRE seigneur le Roy Edward puis le conquest quart a son parlement sumonez a Westm' le xxix. jour d'Aprill lan de son reigne tierces & par diverses prorogations & adjournments jusques le xxj. jour de Janiver lan de son reigne quart continuez mesme le xxj. jour de Janiver al reverence de Dieu & pur le bien de luy & son people de ladvis & assent des seignurs espirituelx & temporelx & a special request de sez communez en sort dit parlement esteantz & par laudorite de mesme le parlement fist ordeigner & establier certains estatutes & ordenaunces en la fourme qensuit.

'C A P. I.

The length and breadth of cloths made to be sold. No cloths wrought beyond sea shall be brought into England.

The inconveniencies which have ensued to this realm by the deceitful making of cloth.

2 R. 3. c. 3.

FIRST, Whereas many years past, and now at this day, the workmanship of cloths, and things requisite to the same, is and hath been of such fraud, deceit, and falsity, that the said cloths in other lands and countries be had in small reputation, to the great shame of this land; (2) and by reason thereof a great quantity of cloths of other strange lands be brought

EN primes pur ceo qe come plusieurs ans passez il ad este & en cestes jours il est qe loveraigne de draps & les membres & requistes a icell fuist & est de tiel fraude deceite & faulxine qe le dit draps es parties dautres terres nest pas eue en aucune reputation en graunt hount de cest terre & par encheson de ceo draps dautres estrau-

estraunges terres sont amefnez en graund quantite en mesme le Roialme & illecoques venduz del hault & excessive price monstrant clerement l'offense defaute & faulxine en la faisanee de draps du laine de cest terre nostre dit seigneur le Roy pur la remunent de les premisses & en preferement de tielx labours & occupations quelles ount este usez par la feisanee du dit draps de ladvis assent request & auctorite avautnditz ad ordeigne & estable certeinz statutz & ordenances es manere & fourme ensuantz. Primerement ordeigne est & estable par lauctorite suisdit qe chescun entier drap lanutz appelez brode cloth qe serra fait & mis a vende a le fest de seint Pier appelle ladvincle qe serra en lan de seigneur mille CCCClxv. apres plein enewance rakkyng streynyng ou tenturyng dicell prest a vende teigne & conteigne en longueur xxiiij. aulnes & a chescun aulne un pouz conteignant la laeure du pouz lomme destre mesurez par la creft de mesme le drap & en laeur ij. aulnes ou vij. quarters ou meins deinz les listes et si le dit drap soit plus long en mesure qe les ditz xxiiij. aulnes & les pouz donqe lachatour dicell paiera al vendour pur ceo qe lexcede autiel mesure de xxiiij. aulnes solonc la rate de la mesure deuis ordeigne.

Auxi ordeigne est & estable par lauctorite suisdit qe toutz maners draps appellez streites destre faitz & mises a vend puis le dit fest apres plein enewance rakkyng streinyng ou tenturyng dicell prest al vend teigne & conteigne en longueur xij. aulnes & les pouz solonc

brought into this realm, and here sold at an high and excessive price, evidently shewing the offence, default, and fallshood of the making of woolen cloths of this land;

(3) our said lord the King, for the remedy of the premisses, and to the preferment of such labours and occupations which have been used by the making of the said cloths, by the advice, assent, and request, and authority aforesaid, hath ordained and established certain statutes and ordinances in manner and form ensuing. (4)

First, That every whole woolen cloth, called broad cloth, which shall be made and set to sale after the feast called Saint Peter ad Vincula, which shall be in the year of our Lord M.CCCC.LXV. after the full watering and racking, straining, or tenturing of the same ready to sale, shall hold and contain in length xxiv. yards, and to every yard an inch, containing the breadth of a man's thumb, to be measured by the creft of the same cloth; and in breadth ii. yards, or vij. quarters at the least within the lists (5) And if the said cloth be longer in measure than the said xxiv. yards and the inches, then the buyer thereof shall pay to the seller for as much as doth exceed such measure of xxiv. yards, according to the rate of the measure above ordained.

The length and breadth of broad cloths. Rep. 5 & 6 Ed. 6. c. 6.

II. And it is enacted and established by the authority aforesaid, That all manner of cloths called streits, to be made and put to sale after the same feast, after the full watering and racking, straining or tenturing thereof, ready to sale, shall hold and contain in length xii,

The length and breadth of streits.

xii. yards and the inches, according to the measure aforesaid, and in breadth one yard within the lists.

The length
and breadth
of kerseys,

III. Also it is ordained and established by the authority aforesaid, That every cloth called kersey, to be made and put to sale after the said feast, after the full watering, racking, straining, or tenturing the same ready to sale, shall hold and contain in length xviii. yards and the inches, as is aforesaid, and in breadth one yard and a nail, or at the least one yard, within the lists.

Half cloths.

IV. Also it is ordained and established by the authority aforesaid, That every half cloth of every of the said whole cloths, streits, and kerseys, shall keep his measure in length and breadth according to the rate, form, and nature of his whole cloth aforesaid. (2)

Lambs wool,
flocks, or
cork, shall not
be put into
cloth but for
certain causes.
By 7 Ed. 4. c. 2.
flocks may be
put into cloth
in the hun-
dreds of Lis-
ton, Tavi-
stock, and
Rowburgh in
Devon.

And that no person which shall make, or cause to be made, any woollen cloth to sell after the said feasts, shall mingle, or put in or upon the same cloth, nor the wool whereof the said cloth shall be made, any lambs wool, flocks, or cork, in any manner, upon pain to forfeit xx s. for every cloth or half cloth, wherein or whereupon any such lambs wool, flocks, or cork, shall be put or mingled; (3) the one half thereof to be to the King, and the other half to him that will seise the same cloth, and duly prove the same to be made contrary to this ordinance: (4) But it shall be lawful for him to make cloth of lambs wool by itself, without mingling with any other wool; (5) except also that cork may be used in dying upon woaded wool, and

solonc la mesure avaunt dit & en laeure une aulne deinz les listes.

Auxi ordeignez est & estable par lauctorite suisdit qe chescun drap appelle kerseie destre fait & mise a vend puis le dit fest apres plein enewance rakkyng streynyng ou tenturyng dicell prest al vend teigne & conteigne en longeur xviii. aulnes & les pous come devaunt est dit & en laeure une aulne & la naile ou au meins une aulne deinz les listes.

Auxi ordeignez est & estable par lauctorite suisdit qe chescun dimi drap de chescun de les entiere drap streites & kerseis garde sa mesure en longeur & laeure solonc la rate fourme & nature de son entier drap avaunt dit. Et qe nulle persone qe ferra ou affaire ferra ascun manere drap lanuz au vend a le dit fest melle ou mette en ou sur mesme le drap ne en la leine dont le dit drap ferra fait ascune leine dagnell flokkes seu ou cork en ascun manere sur peine de forfaiture de xx s. per chescun drap ou dimi drap en quell ou sur quell ascun tiel laine dagnell flokkes seu ou cork ferra ou ferront mis ou mellez lune moite ent de remainer a Roy & lautre moite ent a celuy qi seisera atiel drap & duement provera icell estre fait contrarie a cest ordenaunce forsprie qil lisera de faire du laine dagnell par luy mesme sanz ascune commixtion ovesqe ascune autre laine forsprie auxi qe cork poet estre usee en tincture sur laine waidez & auxi en tincture de tout tiel drap qest tantfoulement faite de laine waidez ifint qe mesmes les laine & drap soient parfitement coictz & maderes

derez forspise auxi qe cork poet estre mise sur drap qe est parfitement coicte & madere.

Auxi ordeignez est & establee qe chescun de les ditz draps & dimi draps pursue & sue parfitement & droitment une ordre veraigne parmy a une fine jusques lautre saunz diversite en texture fullure knottyng ou burling et en cas qe ascune autiel diversite ou rawe skawe cokell ou fagge aveigne destre en ascun part des ditz draps streites ou kerseies qe adonques une seale de plumb pur icell ordeigner & par le tresorer dEngleterre pur le temps esteant aviser soit mis & pende en lextreme part del margine de mesme le drap streite ou kerseie pur coignisaunce & entendement destre euez a lachattour dicell et qe chescun de les ditz draps streite & kerseie de longeure & laeure avaunt ditz & auxi del perfection suiddit soit a le fest de seint Peere ladvincele enseale al fine dicell avec une double print en plumb par le dit tresorer semblablement deviser & ordeigner en tesmoigne & recorde de les avaunt ditz foiall longeur laeure & perfection. Et si ascun des avaunt ditz draps streites ou kerseis ne conteigne mielavaunt ditz laeure & longeur ou ne soit mie del perfit overaigne avaunt dit & les deux parties des mesmes les draps streites ou kerseies soient del verai & perfit overaigne avaunt dit gardauntz les ditz longeur & laeure qe adonques chescun tiel drap streite & kerseie soit enseale ove les avaunt ditz seales en la fourme avaunt dit. Et qe chescun dimi drap & drap conteignaunt greindre longeur qe le dimi drap & meindre longeur qe lentier drap

and also in dying of all such cloth that is only made of woaded wool, so that the same wool and cloth be perfectly boiled and madered; except also, that cork may be put upon cloth which is perfectly boiled and madered.

V. And it is ordained and enacted, That every of the said cloths and half cloths shall perfectly and rightly pursue and follow one order of workmanship from one end to the other, without difference in the weaving, fulling, knotting, or burling; (2) and in case any such difference, or raw or skaw cokel or fagge happen to be in any part of the said cloths, streits, or kerseys, that then a seal of lead therefore ordained, and by the treasurer of England for the time being provided, shall be set and hanged in the lowest part of the edge of the same cloth, streit, or kersey, for perfect knowledge to be had to the buyer thereof. (3) And that every of the said cloths, streit, and kersey of the length and breadth aforesaid, and also of the said perfection, shall be from the feast of St. Peter ad Vincula sealed at the end of the same with a double print in lead, devised and ordained by the said treasurer, in testimony and witness of the foresaid true length, breadth, and making.

(4) And if any of the foresaid cloths, streits, or kerseys, do not contain the foresaid length and breadth, or be not of the perfect workmanship aforesaid, and the two parts of the same cloths, streits, or kerseys, be of the true and perfect workmanship aforesaid, keeping their said length and breadth, that

Cloths shall perfectly pursue one order of workmanship.

A seal of lead shall be set upon faulty cloth. Altered by 58 & 6 Ed. 6. c. 6.

Cloth lawfully made shall be sealed with a double print in lead. Altered by 17 Ed. 4. c. 5.

Sealing of cloth which is less than a whole cloth, and longer than a half cloth.

The lord treasurer shall make as many keepers of the cloth seal as he will.

that then every such cloth, streit, and kersey shall be sealed with the said seals in the form aforesaid. (5) And that every half cloth containing greater length than the half cloth, and less length than the whole cloth, of the sorts of the cloths aforesaid, being of the same perfect workmanship and breadth, shall be sealed with a seal printed in lead, having a mark differing from both the seals aforesaid, in testimony and witness of the true length, breadth, and making of the half cloth. (6) And if any woolen cloth of any sorts of the cloths before recited, perfectly made, and having breadth after the sort before limited, containing three yards and an half, or more or less than the half cloth, be put to sale after the said feast; the same cloth shall be sealed with a seal printed in lead, having a mark differing from any of the said seals, for a knowledge to be had of the default of the half cloth; (7) the said seals to be devised and ordained by the said treasurer, and to be put at the end of every of the half cloths, and cloths less than half cloths. (8) Also by the advice, assent, and authority aforesaid, it is ordained and established, That the treasurer of *England* for the time being, shall have power and authority to make such and as many keepers of the said seals, as he shall think necessary, so that no stranger born be made any of the said keepers. (9) And that every of the said keepers so to be made, shall accompt yearly of the revenues of their said offices in the said exchequer before the treasurer of *England*, and the barons there
for

drap de les sortes des draps a-vaunt ditz esteantz del perfite overaigne & laeur avaunt ditz soit enseale oveqe une seale empressez en plumb eiant signs different a lune & lautre des ditz seales en tesmoigne & recorde de verrazz longueur laeur & perfection de dimi drap. Et si aucun drap lanuz dascun de les sortes de les draps avaunt recites parfitment fait & eiant laeur solonc son sorte avaunt limites conteignaunt trois aulnes & dimi ou plus meins qe le dimi drap soit mis a vend apres le dit fest qe meisme le drap soit enseale avec une seale empressez en plumbe eiant signe differente a chescun de les ditz seales pur coignissance destre eue del defaute de dimi drap les ditz seales a estre devisez & ordeignez par le dit tresorer & estre mis al fine de chescun des les dimi draps & draps meindres qe dimi drap. Auxi par ladvis assent & auctorite suisditz ordeignez est & establee qe le tresorer d'Engleterre pur le temps esteant aist poair & auctorite de faire tielx & tauntz gardeinz de les ditz seales come luy semblera necessarie. Ilint qe null estrange neez soit fait ascun de meismes les gardeins. Et qe chescun des ditz gardeins eni affaires accompte annuellement de les revennz de lour ditz offices en le dit eschequer devaunt les tresorer d'Engleterre & barons illeques pur le temps esteantz duement monstrant en les meismes accomptes le nombre de toutz draps dimi draps streites & kerseis par eux ensealez oveqe les nouns de les possesseurs diceux chescun de meismes les gardeins a estre guerdonnez annuellement
a son

à son dit accompt pur sez labour & diligence en cel partie euez al receipt du dit eschequer par la discretion de les ditz tresorer & barons saunz ascun paiement dascune chose en le dit eschequer en ou pur la faifance de son dit accompt. Et en cas ascun de les ditz gardeins enseale ascun de les avauntditz draps oveque ascun autre seale ou ascun de mesmes les draps autrement faitz qe par les manier & ordonnance desuis especifiez et ceo par sufficient prouf & examination monstrez & approuvez devaunt les ditz tresorer & barons par les ditz deposition tesmoigne & record de tielx sufficientz perones de bon & due reputation queux ont prompt experience en texture fullure & faisure de draps ou si mesme le gardein refuse densealer ascun de les ditz draps faitz accordaunt a les mesmes manere & ordonnance ou si ascun tiel gardein ou aulnour preigne a le dit fest pur le Roy dascune persone pur lensealer ou aulnage dascun manier drap ascun autre somme de monoie qest conteinuz es statutz & ordonnances devaunt cest temps ent faitz & nient repellez ou si ascun tiel gardein ou aulnour a le dit fest refuse de monstrier sa commission de son office ou ascune persone ceo desirant sur lensealer ou mesurement dascun de les draps avauntditz & ceo examinez & duement provez qe adonques il a tauntz de foitz come il en ascun de les premisses offende la somme de xx s. forfacera lune moite ent au Roy & lautre moite a la partie provant la dit offense en icell par suite dent estre eue devant les ditz

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for the time being, duly shewing in the same accompts the number of the cloths, half cloths, streits and kerseys sealed by them, with the names of the owners of the same; (10) every of the same keepers to be rewarded yearly at his said accompt for his labour and diligence had in this behalf at the receipt of the said exchequer, by the discretion of the said treasurer and barons, without payment of any thing in the said exchequer in or for the making of his said accompt. (11) And in case any of the said keepers do seal any of the aforesaid cloths with any other seal, or any of the same cloths otherwise made than according to the manner and ordinance above specified, and that by sufficient proof and examination shewed and approved before the said treasurer and barons by the said deposition, testimony and witness of such sufficient persons of good and due reputation, which have had prompt experience in weaving, fulling, and making of cloths; or if the same keeper do refuse to seal any of these cloths, made according to the said manner and ordinance; or if any such keeper or aulneger do take after the said feast, for the King, of any person, for the sealing or measuring of any sorts of cloth, any other sum of money than is contained in the statutes and ordinances made before this time, and not repealed; or if any such keeper or aulneger, after the said feast, do refuse to shew his commission of his office to any person desiring the same upon the sealing or measuring of any such cloths before rehearsed;

The accompt of the keepers of the seal, and their reward.

The penalty of the keeper of the seal for omitting his duty.

B b

and

and that examined and duly proved, that then he, as often as he shall offend in any of the premiffes, shall forfeit the sum of xxs. the one half thereof to the King, and the other half to the party proving the faid offences therein by fuit to to be made before the faid treafurer and barons, by bill of debt in the faid exchequer, in which bill like judgment and execution shall be had, as is accuftomably had and used againft other accountants in the fame exchequer. (12) And that thefe statutes and ordinances, and other statutes and ordinances made before this time, and not repealed, concerning any of the premiffes, shall be contained and fpecified in every commiffion to be made to every fuch keeper or aulneger after the faid feaft. (13) Also whereas before this time in the occupations of cloth-making, the labourers thereof have been driven to take a great part of their wages in pins, girdles, and other unprofitable wares, under fuch price that it did not extend to, and alfo have delivered to them wools to be wrought by very exceffive weight, whereby both men and women have been difcouraged of fuch labour; (14) therefore it is ordained and eftablished by the authority aforefaid, That every man and woman being cloth-makers, from the faid feaft of St. Peter, fhall pay to the carders, fpinners, and all fuch other labourers, in any part of the faid trade, lawful money for all their lawful wages, and payment of the fame; (15) and alfo fhall deliver wools to be wrought according to the faith-
ful

A clothier fhall pay to his work-folks ready money, and fhall deliver them wool according to the weight.

treforer & barons par bille de dette en le dit efchequer en quel bille autielx bille & execution foient euez queux font ufuelment ufez & euez envers autres accomptantz en mefme lefchequer. Et qe ceftz eftatuitz & ordenauncez & autres statuitz & ordenauncez devaunt cest temps faitz nient repellez concernantz aucuns de les premiffes foient conteignuz & efpecifiez en chefcun commiffion au chefcun tiel gardein ou aulnour apres le dit feft affaire. Et auxi lou par cy devaunt en les occupations del faifance de drap les labourers dicell ount efte chacez de prendre graund part de lour gages en efpinges ceincts & autres enprofitables merchandises defoubtz tiel price qe nentende pas a l'extent de lour loialx gagez at auxi ount deliverez a ceux laines deftre overez par trop exceffive pois quell ad enchafe & enchafe hommes & femmes en difcorage dautiel labour pur ceo ordeignez eft & eftablie par lauctorite fuidit qe chefcun homme & femme faifour de draps a le dit feft de feint Peere paie as cardours cardoreffes filereffes & toutz autres les labourers dalcun membre dicell loiall moncie pur toutz lour loialx gages & paiement del mefme & auxi delivere laines efte overez accordant a la loiall livre & due pois fur peine de forfaiture a mefme le laborer de treble de les ditz gages iffint nonpaiez a tauntz foitz come le dit faifour de drap refuse de paier en les manier & fourme au aucun tiel laborer par luy mis a l'occupation en aucun de les ditz membres del feifance de drap & auxi

auxi de forseire a meisme le
laborer pur chescun li. dex-
cessive & deloiall pois a luy de-
livrez destre overez vj. d. a
chescun defaute.

Et auxi est ordeigne par
l'auctorite fuisdit qe chescun
cardour cardoreffe filereffe ti-
seour fullour tondour de drap
& tinctour face duement son
labour en sa occupation sur
peine de rendre a la partie en-
damegez en cell partie doubles
damages et qe chescun fullour
de le dit fest de seint Peere en
sa arte & occupation de fuller
& scalpier ou tezeiler de drap
exerce & use teizels & nulls
cards meisme le drap deceiv-
ablement enpeirant sur peine
de rendre a la partie endamage
doubles damagez. Et qe ches-
cun justice de peas pur le temps
esteant de chescun countee de
cest roialme par tut le countee
hors des citees burghs & villes
lou maire maister gardein bail-
liff ou baillifs est ou sont et
chescun mair lou mair est &
chescun maister lou null mair
est chescun bailiff ou baillifs
lou null mair ne maister est
chescun portrefe lou null maire
maister bailiff ou baillifs est ou
sont de chescun citee burgh &
ville deinz chescun tiel countee
avaunt dit et chescun conesta-
ble de hundred lou conestable
de hundred est hors de ches-
cun citee burgh & ville lou
ascun maire maister bailiff ou
baillifs ou portrefes est ou sont
et chescun seneschall gardant
ou telgnaunt wapentak ou lete
dascune persone hors de citee
burgh ou ville lou null maire
maister bailiff ou baillifs ou
portrefes est ou sont ait & aient
poair & auctorite par cest or-
denaunce doier & terminer les
complaintes de chescun tiel fai-
four

ful delivery and due weight
thereof, upon pain of forfeiture
to the same labourer the treble
of his said wages for not paid, as
often as the cloth-maker doth
refuse to pay the same in the
said manner and form to any
such labourer, put by him to
the occupation in any of the
said parts of cloth-making;
(16) and also to forfeit to the
same labourer, for every de-
livery of excessive and unlaw-
ful weight to him committed
to be wrought, vi. d. for every
default.

VI. Also it is ordained and
established by the authority a-
foresaid, That every carder,
spinster, weaver, fuller, shear-
man, and dyer, shall duly per-
form his duty in his occupa-
tion, upon pain to yield to the
party grieved in this behalf his
double damages; (2) and that
every fuller, from the said feast
of St. Peter, in his craft and
occupation of fulling, rowing,
or tayseling of cloth, shall ex-
ercise and use tayfels, and no
cards deceitfully impairing the
same cloth, upon pain to yield
to the party grieved his double
damage. (3) And that every
justice of peace for the time
being, of every county of this
realm, throughout the same
county, out of cities, boroughs,
and towns where any mayor,
master, warden, bailiff or bai-
liffs is or be, and every mayor
where there is no master, and
every master where there is no
mayor, and every bailiff or
bailiffs where there is no mayor
nor master, and every portreve
where no mayor, master, bai-
liff, nor bailiffs, is or be, of
every city, borough, and town
within every such county afore-
said, and every constable of

Every worker
of wool shall
do his duty
therein law-
fully.

The fuller's
duty in his
occupation.

What magi-
strates may
enquire of and
punish such as
do offend.

hundred, where any constable of hundred is, out of every city, borough, and town, where any mayor, master, bailiff or bailiffs, or portreves, is or be; and that every steward keeping or holding wapentake or leet of any person out of city, borough, or town, where no mayor, master, bailiff or bailiffs, or portreves is or be, shall have power and authority by this ordinance, to hear and determine the complaints of every such cloth-maker and labourer, as well for nonpayment of the said labourers wages, as of the said forfeiture and damages, by due examination of the parties in this behalf thereupon, for nonpayment of the said duties and forfeiture, and for the said damages, to commit the said offenders in this behalf to the next gaol within the same county, there to remain till the said duties, forfeitures, and damages be fully paid to the said labourer or cloth-maker; (4) and also that every of the said justices of peace, mayor, master, warden, bailiff or bailiffs, portreve, and steward of wapentake and leet, upon the information or complaint of any other person which is not grieved in this behalf, shall have power by the said authority within his jurisdiction, to cause the party to come before him, against whom such information or complaint shall be made, for offending this ordinance, and to examine him in and upon the matter contained in the same information or complaint; (5) and if the party, by examination, or other due proof, be found guilty or defective, that then the same party, as often

four de drap & laborer sibi en pur nonpaiement de les ditz gages des ditz laborers come de les ditz forfaiture & damages par due examination de les parties en cell partie et sur ceo pur nonpaiement de les ditz dueetes & forfeitures & pur les ditz damages de commetter les trespassours en cell parte al prochein gaole deinz mesme le countee illeokes a demurer tanqe les ditz dueetes forfeitures & damages soient a le dit laborer au fafour de drap duement paieez. Et auxi qe chescun de les ditz justices de peas maire maister gardein bailiff ou baillifs portrese & seneschall de wapentak & lete sur lenformation ou compleint d'aucune autre persone qe nest greve en cest part aiet poair par la dit auctorite deinz la jurisdiction de faire venir devaunt luy la partie envers quelle lenformation ou compleint ferra fait pur lencontrefeiture a cest ordenaunce et ceux examiner en & sur la matier conteignuz en mesme lenformation ou compleint et sil trove par examination ou autres duez provez la partie en ceo coupable ou defectif qadonques mesme la partie si sovent & pur chescun soit come il est issint trove coupable ou defective forface au Roy ou a tiel persone ou personnes qe ou queux est ou sont entitle ou entitlez d'avoir fines ou amerciements pur offenses faitz deinz leur jurisdiction iii s. iiii. d. Et qe chescun de les ditz justices de peas & autre officer avaunt dit deinz la jurisdiction sur chescun del dite enformation ou compleint aient plein poair de fere autiel processe envers la partie sur quell aucune tiel enforma-

formation ou complaint come devaunt est recitee serra fait de luy faire venir personnelment devaunt luy sur ceo destre examinez l'icome justices de peas ount sur enformation ou complaint fait a ceux pur suertie de peas saunz aucun fee ou regard destre pris ou eue par aucun de les ditz justices ou aucun autre officer en cell parte pur l'exécution de leur offices en cell parte.

Auxi ordeignez est & establie par l'auctorite suisdit qe tout maner drap lanuz fait en aucune autre region en cest roialme amefnez & mys a vend deins aucune part del mesme le roialme apres le dit fest de seint Peer soit forfait au Roy forsprisez draps fait en Gales & Irlond & draps prises par aucune des lieges du Roy sur le meere saunz fraude ou male engyne. Et par l'auctorite suisdit ordeignez est & establie qe aucun autre acte ou ordonances faitz en cest present parlement concernauntz la faissance de drap ou aucun de les premissez contrariez ou nient accordauntz a cest acte soit & soient voides & de null effect.

within any part of this realm of *England*, after the said feast of *St. Peter*, shall be forfeit to our sovereign lord the King, except cloths made in *Wales* and *Ireland*, and cloths taken by any of the King's liege people upon the sea, without fraud or collusion. (2) And by the authority aforesaid it is ordained and established, That any other act or ordinance made in this present parliament concerning cloth-making, or any of the premises, contrary or not according to this act, shall be void and of none effect.

C A P. II.

From what places, and on what conditions English wools shall be exported to Calais.

ITEM, Whereas the King's noble progenitors, by great Ex edit. Raff. deliberation and advice, by divers acts of parliament in *Staple* of times past, did ordain and stablish a staple to be at *Calais*, to *Calais*. the intent that all the wools and woofels, and other merchan-

often, and for every time that he is so found guilty or defective, shall forfeit to the King, or to such person or persons which is or be entitled to have fines or amerciements for offences done within their jurisdiction, iii s. iv d. (6) And that every of the said justices of peace, and other officers aforesaid, within his jurisdiction upon every of the said informations or complaints, shall have full power to make like process against the party, upon whom any such information or complaint, as before is rehearsed, shall be made, to cause him personally to appear before him, thereupon to be examined, as justices of the peace have upon information or complaint made to them for surety of peace, without any fee or reward to be taken or had by any of the said justices, or any other officer in this party, for the execution of their offices in this behalf.

VII. Also it is ordained and established by the authority aforesaid, That all manner of woollen cloths made in any other region, brought into this realm of *England*, and set to sale

What process shall be awarded by justices of peace against offenders.

No cloths made in any other region shall be brought into *England* to be sold.

11 Ed. 3. c. 3.

Merchandise
of the staple.

24 H. 6. c. 2.

25 H. 6. c. 8.

28 H. 6. c. 15.

Shipping of
wools.

dises of this realm, called merchandises of the staple, which should be shipped to pass out of this realm, should be carried to the said staple, and to none other place. And in the time that it was so u'ed, *Calais* was in great surety, and this land, as to the commodities of the same, in great prosperity, till now of late that by strange and sinister means, many and divers licences of wools and woolfels have been granted and executed, as well in the King's name as otherwise: and have passed into the parts beyond the sea, to other places than to the said staple, and sold to the same persons, which were accustomed to come to the said staple to buy wools and woolfels: and also divers persons have much used to ship wools and woolfels out of this realm, some privily by night, and some openly by force, without paying therefore to the King any custom or subsidy, and carry the same to other places than to the said staple, and sold them to such persons as were accustomed to buy wools and woolfels at the said staple, by which undue means, great damage and inconvenience hath grown to our said sovereign lord the King and this his realm, and to the safeguard of the said town and marches of the same: Our said sovereign lord the King, considering the premises, by the advice, assent, request and authority aforesaid, doth grant, ordain, and establish, That wools and woolfels, morling and shorling, that shall be shipped to pass out of this realm, after the feast of *Easter*, which shall be in the year of our Lord, M.cccc.lxv. shall be shipped at the towns of such ports wherein the King hath his beaw, his weights, and collectors of the custom to serve and deliver the merchants, that is to say, at the town of *Poole*, *Southampton*, *Chichester*, *Sandwich*, *London*, *Ipswich*, *Boston*, *Hull*, *Lynn*, and in none other place, creek or port, the wools and woolfels to be shipped in galleys and carracks, and in none other vessel, to pass out of this realm by the streits of *Marrocke* foreprised and except. And that by the same authority every person, that so shall ship or cause to be shipped out of this realm, any wools, woolfels, morling or shorling, after the said feast, upon the shipping of them, and before that they pass out of any of the said towns, where they shall be shipped, shall find sufficient surety to the King, and to the collectors of his custom there for the time being, that the same wools, woolfels, shorling and morling, shall pass to *Calais*, and to none other place, without fraud or collusion. And also by the same authority it is ordained, That every person which so shall ship wools, woolfels, shorling and morling to *Calais*, shall bring within twelve months next following, such shipping into the King's exchequer, there to be entered of record, a certificate of him, which is, or for the time shall be called the King's customer, at the port there, testifying the coming of all such ships with wools, woolfels, morling and shorling to *Calais*. Also it is ordained by the authority aforesaid, That if the same customer at the port do not deliver to the merchant, bringing such wools, woolfels, shorling and morling to *Calais*, a due certificate, after the form of this act,

act, within viii. days after due request of him thereof made, he shall forfeit to the owner of the said wools, woolfels, shorling and morling, at any time that he shall refuse to make and deliver such certificate C. li. And if he which so shall ship wools, woolfels, shorling or morling, to be had to *Calais*, do not bring into the King's exchequer, the certificate, as above is recited, and there offer the same in open court before the treasurer and barons of the same exchequer, for the time being, to be entered of record within the said twelve months, or if any person do contrary to the said ordinance, he shall forfeit all such wools, woolfels, morling and shorling so shipped contrary to the said ordinance, whereof he bringeth not a certificate as before is recited or the value thereof. The one half to be employed in the expences of the King's house, and the other half to such person as shall sue for the same in this behalf, being mayor of the King's staple at *Calais* at the same time of such suit commenced. And that he in this case may sue an action of debt of such wools, woolfels, shorling or morling so forfeit, or of the value thereof at his election against such person or persons, which shall do contrary to this ordinance. The said action to be taken, and every issue therein joined, to be tried in the counties where such wools, woolfels, shorling and morling shall be shipped: *except* that if any issue be taken in the said action upon the offer of the certificate, that then it shall be tried in the county where the said court of exchequer for the time shall be. And that the same process be and lie in such action as is and lyeth in action of debt at the common law, and that no protection nor essoin lye or be allowed or adjudged for the defendant in such action. And though the plaintiff in such action be discharged of his said office of mayor, hanging the same action, he shall maintain and pursue the said suit, notwithstanding the same discharge. Provided always, That if any wools, woolfels, morling or shorling, to be shipped in the form aforesaid, be taken with enemies upon the sea, or else there perished or lost by misfortune, and such taking, perishing or loss be found and proved before the treasurer and the barons of the King for the time being, by examination of the person or persons, which so should ship such wools, woolfels, shorling or morling, or their executors or two credible persons sworn, or other reasonable witnesses and proofs, testifying the same wools, woolfels, shorling and morling so taken, lost or perished: that no person for any such woolfels, shorling or morling, so taken, lost or perished, shall be grieved or otherwise prejudiced by this act. Provided also, That the wools, woolfels, shorling or morling, only of the growing betwixt the waters of *Tees* and *Tweed*, *Northumberland*, *Cumberland*, *Westmerland*, the bishoprick of *Durham*, *Richmondshire*, and *Northaldertonshire*, may be shipped in the port of *Newcastle upon Tyne*, to pass at their liberty, this act notwithstanding. Wools,
woolfels. Newcastle.

C A P. III.

Certain wools, fells, &c. which may be exported from Newcastle to the staple of Calais. Penalty on those who do contrary to this ordinance.

Shipping of
wools at
Newcastle.

Staple of Calais,
3 Ed. 4. c. 1.
12 Ed. 4. c. 5.

ITEM, because it is perceived and certainly known, that divers persons for themselves, their factors and servants, do buy and gather wools and woolfels, as well shorling as morling, of the growing of the counties of *York, Lincoln, and Nottingham*, and carry the same to the port and town of *Newcastle*, and there the same wools and woolfels, as wools and woolfels of the growing of the country beyond the waters of *Tees* and *Tweed*, and of any of the said counties of *Northumberland, Cumberland, Westmorland, Richmondshire, Northaldertonshire*, and the bishoprick of *Durham*, and by colour thereof do ship and cause to be shipped and carried into places beyond the sea, other than to the staple of *Calais*, whereby our said sovereign lord the King is greatly deceived of his custom and subsidy, against the statutes in such cases provided, to the great damage of the King and of this his realm, and of his subjects of the same: Our sovereign lord the King, by the advice and assent of the said lords and commons, and by the said authority will and ordaineth, That no person shall ship or cause to be shipped, at the said port and town, any wools or woolfels, morling or shorling, of the growing of any county or country, other than of the growing of the country beyond the said waters, or of any of the said counties of *Northumberland, Cumberland, Westmorland, Richmondshire, Northaldertonshire*, or of the said bishoprick of *Durham*. And if any person ship or cause to be shipped, at the said town or port, any wools, woolfels, shorling or morling, of the growing of any county or country, other than the said countries, betwixt the same waters, or of the said counties of *Northumberland, Cumberland, Westmorland, Richmondshire, Northaldertonshire*, or of the said bishoprick of *Durham*, to be carried into any place beyond the sea, other than to the said staple of *Calais*, shall forfeit the double value of the same wools and woolfels so shipped, and not grown betwixt the said waters, nor in none of the said counties of *Northumberland, Cumberland, Westmorland, Richmondshire, Northaldertonshire*, or in the said bishoprick of *Durham*: whereof our sovereign lord the King shall have the one half, and he that will sue in this party the other half: and that as well the King, as he that will sue for the same in this behalf, shall have his recovery by an action of debt. The said action to be taken, and every issue therein joined, to be tried in the said county of *York*, and not in the said town, nor in none of the said counties of *Northumberland, Cumberland, Westmorland, Richmondshire, Northaldertonshire*, or in the said bishoprick. And like process to be had in the same action, as is commonly used in an action of debt. And that the defendant in this case have no advantage by any esoin or protection, nor be admitted to wage his law.

CAR

CAP. IV.

A restraint for three years of the custome of contracting for wool in certain counties before it is shorn, unless it be used for cloth or yarn.

ITEM, whereas by subtil bargains made in buying of wools, ^{Wools} before that the sheep that bear the same be shorn, the cloth- ^{bought un-} makers of this realm can well nigh find none to be sold, to the ^{shorn.} great grief of them, which have been accustomed to have their living by the mean of making of cloth: Our sovereign lord the King, by the advice and assent of the said lords, and at the request of the said commons, and by the authority aforesaid, hath ordained and stablished, That no person by himself or any other, shall buy or bargain, from the xviii. day of *March*, which shall be in the year of our lord, M.cccc.lxiii. any wools then not shorn, or take promise of bargain of any wools, then not shorn, of the growing of *Berkshire, Oxfordshire, Gloucestershire, Shropshire, Herefordshire, Worcestershire, Wiltshire, Somersetshire, Dorsetshire, Hampshire, Essex, Cambridgeshire, Norfolk, Suffolk, Kent, Surry, and Sussex*, or of any of the same, till the feast of *St. Bartolemew* then next ensuing, or buy any wools, or take ^{Bargain for} any promise of bargain of wools, which shall grow in any of the same counties, the year then next ensuing the said feast, before the same feast then next following, or in like manner buy any wools, or take promise of bargain of any wools, which shall grow in any of the said counties the year then next ensuing the same feast, till the same feast then next following, which feast shall be in the year of our lord M.cccc.lxvii. but only such persons, which of the said wools shall make or do to be made yarn or cloth within this realm, upon pain of forfeiture of the double value of all the wools bought or to be bought, bargained or taken by promise of bargain against this ordinance: the one half to be had to the King's use, and the other half to the use of him that will sue in this behalf, and that every person that will sue in this behalf shall have an action of debt of the same forfeiture, and like process in the same action, as is had in an action of debt. ^{4 H. 7. c. 11.} And that no essoin, protection, nor wager of law be allowed for ^{22 H. 8. c. 1.} the defendant in this action. ^{37 H. 8. c. 15.}

CAP. V.

Merchandises from the duke of Burgundy's countries prohibited, till English wrought cloths are received there.

ITEM, forasmuch as a certain declaration and ordinance, in ^{Duke of Bur-} form of a statute, evermore to endure, and never to be re- ^{gundy,} pealed, and proclamations of the same were late made by the ^{Woolen} duke of *Burgundy* in the parts of *Brabant, Holland, Zealand*, and ^{cloths and} other seigniories, that from that time forth all manner woolen ^{yarn.} cloths and woolen yarn made and wrought in the realm of *England* should be banished out of the lands of the said duke, that is to say, *Burgundy, Lotrike, Brabant and Luneburgh, Flanders, Ar-* ^{27 H. 6. c. 1.} ^{28 H. 6. c. 1.} *tois,*

tois, Henault, Holland, Zealand, Namur, the marquiship of the holy empire, Friesland, Malynes, the lands beyond the river of Maese, and generally out of all his other lands and seigniories: so that after the said proclamation, no such cloth or yarn should be bought, sold, or distributed there. And if after the same time any such cloth or yarn should be there found, that the same should be burst as a thing banned; with certain other strait punishments specified in the same proclamations and ordinances: whereby, by all likelihood, the makers of woollen cloths within this realm of England, as weavers, fullers, dyers, spinners, carders, and winders of yarn, and other persons exercising the said cloth-making, and also the buyers and sellers of the same, should be destitute of occupations, and become so idle, that it should provoke them to sin and evil life, which God defend: our said sovereign lord the King, the premisses considered, hath by the advice, assent, request and authority aforesaid, ordained and stablished, That no denizen of this realm, nor no merchant of the liege of England, shall bring or convey, nor privily or apertly do to be brought, carried, or conveyed into this realm of England, Wales, or Ireland, any manner merchandises or goods of the growing, workmanship, or making, of the lands and parts of Burgundy, Lotrike, Brabant, Lunenburg, Flanders, Artois, Henault, Holland, Zealand, Namur, the marquiship of the holy empire, Friesland, Malynes, the lands beyond the river of the Maese, or of any lands or seigniories, which the said duke doth hold or occupy, or any of them: nor that any such denizen or merchant stranger sell or utter in any part of this realm, Wales, or Ireland, from the said feast, any such merchandises or goods, other than such which have been bought before the said feast, in any of the said parts, except all manner of victuals. And also except goods and merchandises taken by any of the King's liege people upon the sea, without fraud, covine, or male engine, upon pain of forfeiture of the said goods and merchandises so brought or so sold and bought after the said feast, that is to say, the one half thereof to the King, and the other half to him that first shall seize the same goods and merchandises, in whole hands soever they may be found, till the time that due continual reformation be had and made by the said duke of the said declaration and ordinance of banishing, in such wise that all manner of woollen cloth and woollen yarn made, or to be made within the realm of England, Wales, and Ireland, may come to be brought and accepted in the aforesaid parts of Burgundy, Lotrike, Brabant, Lunenburg, Artois, Henault, Holland, Zealand, Namur, the marquiship of the holy empire, Friesland, Malynes, the lands beyond the water of the Maese, and all other lands and seigniories of the said duke, and in every of them there to be uttered, sold, and expended, used, worn, and distributed, at the election of the owner of the same or his factor in this behalf there, without impeachment of the said duke, or any other his officer in any of the said lands and parts, to be carried and

Merchandise.

Victuals.

conveyed to any other part, at the election of the said owner or his factor, as freely as they were brought, carried, or conveyed before the said proclamation of the said declaration and ordinance made by the said duke. And also he hath ordained by the said authority, That all manner merchants strangers, Merchants
strangers. having any such manner of merchandises or goods of the said growing, workmanship, or making, being shipped in any vessel in any part of this realm of *England, Wales, or Ireland*, and not put to land, or if any such merchandises or goods be put to land in any part of the said realm of *England*, after the said feast, that all such merchandises and goods be utterly voided out of this realm of *England, Wales, and Ireland*, within forty days next after proclamation made upon this ordinance within the city of *London*, upon pain of forfeiture of the said goods and merchandises: the one half thereof to the King, and the other half to him that shall first seise any such goods or merchandises. And that open proclamation of this ordinance be made before the eighteenth day of *March*, which shall be in the said year of our Lord M.cccc.lxiii. within the city of *London*, and other necessary places and convenient. And if it happen any suit or action to be taken and sued by the occasion of any such seisin, wherein any issue concerning this ordinance shall be taken: that the said issue be triable and tried in the county and of the venue, where the said seisin shall be had, and in none other place. And because it is greatly doubted, that during the said restraint of the said goods and merchandises made and grown in the aforesaid lands of the said duke of *Burgundy*, being in this realm, or to be brought into the same, and within the same to be put to sale, by the sellers of them should be exalted and put at an excessive price, which should turn to the great damage of the people of this realm: it is therefore ordained by the said authority, That during the said restraint, every mayor, Mayor. bailiff, and other chief governor of every city, borough, and town, and the governors of every fair and market out of city, borough, and town, within this realm, upon complaint to be made to any of them by any of the King's liege people, of such enhancing and putting of excessive price, shall have power and authority within their jurisdiction, by due search, examination, and proof had in this behalf, to make such direction and reformation, as by the advice of two discreet men of every such city, borough, or town, thereto to be appointed by every mayor, bailiff, or other chief governor aforesaid, after their conscience and discretions, in satisfaction and reasonable amends of the party so complaining shall seem reasonable. And this ordinance to endure at the King's pleasure. Provided always, That this act, nor none other act, statute nor ordinance, made or to be made in this present parliament, shall do no damage, prejudice nor derogation to the merchants of *Almayne*, having the house commonly called *Guildhalla Teutonicorum*, in the city of *London*, which merchants now be within this realm of *England*, or in any parts under the King's obedience, or Guildhalla
Teutonicorum. which

which hereafter shall be or repair into the same, of or in any franchises, freedoms, liberties, immunities or any other thing granted by the King's progenitors, by their letters patents, to merchants of *Almayne*, having the said house commonly called *Guildballe Teutonicorum*, in the said city of *London*, nor of any grants or confirmations in any wise made by our said sovereign lord the King by his several letters patents to merchants of *Almayne*, having the said house commonly called *Guildballe Teutonicorum*, in the said city of *London*, by whatsoever names they be called or named. And that all the said letters patents be in all such force, effect, and strength, and available to the merchants having the said house called *Guildballe Teutonicorum* in the said city of *London*, as they were before the making of this act. This act, or any other act, statute, or ordinance made or to be made in this present parliament notwithstanding.

C A P. VI.

A qualification of the statute of 5 HEN. IV. cap. 9. touching security to be taken of merchants strangers for the employment of their money upon the commodities of this realm.

Customers
and control-
lers.

Merchants
strangers.

ITEM, our said sovereign lord the King, remembering that where by the statute made in the parliament holden in the fifth year of *Henry* the Fourth late in deed and not of right king of *England*, it was ordained and stablished by authority of the same parliament amongst other things, That all the customers and comptrollers in all ports of this realm, should take sufficient surety for all manner merchandises brought by merchants aliens and strangers, coming and repairing to the said ports, to the intent that the money taken for the said merchandises should be employed upon the commodities of this realm, saving their reasonable costs, as in the same statute is contained more at the full. And that because the said merchants strangers have not knowledge of the sufficient persons within this realm, which shall be bound for them, so that they cannot oftentimes find to the intent aforesaid such surety: and also because that the said customers and comptrollers have no manner of power nor authority after the employment performed and made, to rebail the said sureties to the merchants: wherefore the said merchants would rather depart, and hereafter not to repair into this realm with any merchandises, than to find any such sureties, in diminution of the King's customs and subsidies in his said ports, unless due remedy be therefore provided: the King, by the assent of the said lords and commons, and by the authority aforesaid, hath ordained and stablished, That at all times from henceforth the customers and comptrollers for the time being, shall take surety by their discretion of the said merchants alone, or of them and other for the said employment to be had. And that the said customers and comptrollers in every port of this realm, at all times hereafter, after the employment had by the said

said merchants, may deliver to the said merchants all such sureties, which they did take of them or any of them for the said employment. And that of and for the same they and every of them be discharged against the King. This statute to endure till the next parliament.

C A P. VII.

Regulations to be observed by the shoemakers of London, and those within three miles of the same. The privileges of the inhabitants of St. Martin's le Grand saved.

ITEM, our sovereign lord the King, by the advice of his lords spiritual and temporal, and at the prayer of the said commons in the said parliament assembled, and by authority of the same, hath ordained and stablished, That no person cordwainer or cobbler within the city of *London*, or within three miles of any part of the same city, be he within franchise or without, do to be made after the feast of *Easter*, which shall be in the year of our Lord one thousand four hundred sixty five, any shoes, galoches, or huseaus with any pike or poleyn, that shall pass the length of two inches, which shall be judged by the wardens or governors of the same mystery within the said city, and three miles of every part of the same, or upon any *Sunday* in the year, or in the feasts of the *Nativity* or *Ascension* of our Lord, or in the feast of *Corpus Christi*, shall sell or command or do to be sold any shoes, huseaus, or galoches, or upon the *Sunday*, or any of the said feasts, shall set or put upon the feet or legs of any person, any shoes, huseaus, or galoches, upon pain of forfeiture and loss of xx s. sterling, as often and when any person shall do the contrary of this ordinance or any part of the same. Whereof vi s. viii d. shall be had to the King's use, and vi s. viii d. to the use of the governors of the mystery of cordwainers, and the other vi s. viii d. residue of the said xx s. to the use of him that shall find, discover, and prove the breaking of this ordinance. And that every person that will sue for the said forfeiture, shall have an action of debt by writ or plaint at his election, and such process and execution in the same as is had in an action of debt. And that the defendant in the same action be not admitted to wage his law. Provided always, That this act, nor none other act, ordinance or statute, made or to be made in this present parliament, shall extend to the damage or prejudice, nor in any wise be prejudicial or hurtful to the dean for the time being of the King's free chapel of *St. Martin's le Grand* of *London*, or to the said dean and chapter for the time being of the same chapel, nor to any person or persons for the time abiding or dwelling within the same chapel, or within any place or places in *St. Martin's Lane* in *London*, or within any other place or places within the precinct, fee, or franchise of the said dean, or the said dean and chapter, nor to any of the rights, privileges, liberties, franchises, immunities, or other thing by the King, or by any of his progenitors, predecessors, or possessors of the realm, estate and crown of *England*.

Cordwainer.

St. Martin's
le grand of
London.

Repealed by
14 H. 8. c. 9.
& 5 Eliz. c. 2.

land; to the said dean and chapter of the said chapel and their successors jointly or severally in any manner granted, or in any manner heretofore pertaining. And also provided, That the dean of the said chapel, and the dean and chapter of the same chapel, shall have, hold, and enjoy fully, freely, quietly, and effectually all their said rights, privileges, franchises, liberties, immunities; and every other thing to them granted in manner and form aforesaid, by whatsoever name or names they be named or called jointly or severally in any letters or writings thereupon made, any act, ordinance, or statute made or to be made, or any other matter or thing contrary notwithstanding.

CAP. VIII.

No stranger shall buy English horns unwrought, gathered or growing in London, or within twenty four miles thereof. Certain powers vested in the wardens of the borers of London.

Rep. 1 Jac. 1.
c. 25.
but is recited
and in part
revived by
7 Jac. 1. c. 14.

OUR sovereign lord the King perceiving by grievous complaint made in this parliament by men of occupation of borers being enfranchised in the city of London, how that people of strange lands hath come into this land and into divers parts thereof, and hath bought by the hands of their hosts and guides the great and chief stuff of English horns unwrought, of tanners and butchers, and carry the same over the sea, and there employ the same in divers works, to the great damage of this land, and to the final prejudice of a great number of men being of the same occupation: hath, by the advice and assent of the said lords, and at the request of the said commons, and by the authority aforesaid, ordained, established, and enacted, That from the feast of Easter, which shall be in the year of our Lord God, one thousand four hundred and sixty five, no manner stranger nor alien, by himself, or by any other, shall buy any English horns unwrought, of any tanners, butchers, or of any other persons, gathered or growing

ITEM nostre dit souverain seigneur le Roy appris par grevous compleint fait en le dit parlement par les hommes de la mestier des horners enfranchisez en la citee de Loundres coment les gentz des terres estrangees ont venuz en cest terre & en diverses parties dicell & ont achatez par les mains de leur gardes hostes & guydes le graund & chief stuffe des cornes Englois nient overez des tanners & bochers & les amesnerent doutre le mere & les illeoques emploierent en diverses overaignes au graunde damage de cest terre & en finall prejudice de le graund nombre des hommes de la dite mestier par toutz jours ad par assent des ditz seignurs & a la supplication des ditz comunenez & par lauctorite suisdit ordeigne establie & enacte qe a le fest del Pasque qi sera en lan de nostre Seigneur Mille cccclxv. null manere estrange ou alien par luy mesme ou par aucun autre aucuns cornes Englois nient overez des tanners bochers ou dascuns autres persones collez ou creissantz deinz la dit

dit citee & xxiiij leukes en chescune part le mesme la citee procheinz adjoignantz & que null Englois ou autre persone qeconque vende ascuns cornes Englois nient overez al ascun estraunge ou les face maunder outre le mere issint qe les ditz horners voillent achater les ditz cornes de semble price de qi ils sont al temps del faifance de cest ordenaunce sur peine del forfaiture de toutz tielx cornes issint achatez venduz ou maundez & qe les gardeins de la dit mestier pur le temps esteantz par la dit auctorite aient plein poair de sercher tout manere de ware spectant a leur dit mestier overe ou a overer en toutz lieux deins la dit citee de Loundres & xxiiij. leukes en chescun part prochein adjoignant a mesme la citee & deinz les feires de Stirbrigge & Ely en qi mains les poient estre trovez. Et fils par leur serche trouvent ascun tiel ware ou stuff en ascun lieu deinz la dite citee de Loundres & xxiiij. leukes en chescun part prochein adjoignant mesme la citee ou deins les feires de Stirbrigge & Ely en qeconques mains ils soient a venders qe est defectif & nient sufficient quil bien life a ceux de prendre mesmes les ware & stuff & les amesner devaunt le maire de la dite citee de Loundres le maire ou baillifs de les avaunt ditz feires pur le temps esteantz et ceo issint illeques prove defectif destre forfaitz lune moite ent au Roy et lautre moite ent a les ditz gardeins destre demeanez a leur plaisir. Purveu toutz soit qe apres hommes de la dite mestier deinz cest terre ount prisez hors & eslieux tielx & tauntz cornes come a leur mestier

ing within the said city, and xxiiii miles on every side of the said city next adjoining. And that no *Englishman* nor other person, sell any *English* horns unwrought to any stranger, or cause them to be sent over the sea, so that the said horners will buy the said horns at like price as they be at the time of the making of this act, upon pain of forfeiture of all such horns so bought, sold, or sent. And that the wardens of the said mystery for the time being, by the said authority, shall have full power to search all manner of ware pertaining to their mystery, wrought or to be wrought, in all places within the said city of *London*, and xxiiii miles on every side next adjoining to the same city, and within the fairs of *Sturbridge* and *Ely*, in whose hands they may be found. And if they, by their search, find any such ware or stuff in any place within the said city of *London*, and xxiiii miles next adjoining to the same city, or within the fairs of *Sturbridge*, and *Ely*, in whose hands soever they be, to sell, that is defective and insufficient, it shall be lawful to them to take the same ware and stuff, and bring it before the mayor of the said city of *London*, the mayor or bailiffs of the foresaid fairs for the time being: and the same there being proved defective, to be forfeited, the one half thereof to our sovereign lord the King, the other half to the said wardens, to be ordered at their pleasure. Provided always, That after that men of the said occupation within this land, have taken out and chosen such and as many horns as shall be-
need-

needful to their occupation, that then it shall be lawful to them, all and every of them, and other persons of this realm of *England*, to sell and deliver all the horns refused, which be not able to be occupied in their mystery, to any stranger or other person, to send or carry beyond the sea or elsewhere, as shall please them.

mestier besoignent qe donques liser a ceux & chescun deux & toutz autres persones de cest roialme d'Engleterre toutz les cornes refusez queux ne sont mie ables a occupiers en leur mestier de vender & deliverer al ascun maner esstraunge ou autre persone pur les maunder ou carier doutre le mere ou ailleurs qique lour plerra.

CAP. IX.

Patten-makers may make pattens of such asp as is not fit for shafts.

Ex edit. Raft.
4 H. 5. c. 3.

ITEM, The company of the mystery of patten-makers of the city of *London*, piteously complaining, shewed in the parliament, of the grievous hurt, loss and damage, which other persons in times past of the same occupation now dead, and they, long time have borne and sustained, and hereafter be likely to bear and sustain, by reason of a statute made in the time of *Henry* the Fifth, late king of *England* in deed and not of right, by authority of this parliament holden in the fourth year of his reign, by which statute it was ordained and established, That patten-makers within the realm of *England* from that time forth, should make no pattens nor clogs of timber called asp, upon pain to pay to the King C. s. for every default. And that every person, which would sue for the King should have the one half of the pain so forfeit: so that the fletchers throughout the realm, might sell their shafts at more easy and reasonable price than they were wont to sell, as in the said statute more fully is contained. And though also that the said asp timber be the best and lightest timber, thereof to make pattens and clogs, most easy for the wearing of all estates, gentiles and other people, of any timber that groweth, and before the making of the said statute the said patten-makers were as free, and at as great liberty to buy all manner of asp timber, and thereof to make pattens and clogs, as they were at the same time, and at all times have been, and yet be all manner people of the crafts and occupations of turners, carpenters, woodmongers, and cole-makers, which do occupy expend and waste yearly in their occupations a great quantity of all manner timber of asp, as well such asp timber as would serve to make shafts thereof, as that that would not serve for the same, and no restraint is made for them or any of them to the contrary, and very much asp timber there is, which will in no wise serve the fletchers to make thereof shafts, which is as sufficient able and convenient to be made in pattens and clogs, as is the remnant of the said timber to be made in shafts: and the said patten-makers durst not occupy any part of the said timber, nor one nor other, for fear of forfeiture, of the said pain contained in the said statute, which

which is great damage to the said patten-makers, and none advantage to the said fletchers, and the common people throughout the realm thereby greatly diseased: Wherefore our sovereign lord the King, considering the premises, by the advice and assent of the lords spiritual and temporal, and at the request of the said commons, hath ordained that from henceforth at all times it shall be lawful to the patten-makers of this realm, to make pattens of such timber of asp, that is not apt, sufficient nor convenient to be made in shafts, and that for the common wealth. And that as often as any patten-maker, after the feast of *Easter*, which shall be in the year of our Lord God 1465. shall make any pattens or clogs of such part of asp timber, that shall be able and sufficient to be made in shafts, shall forfeit for every time forty shillings, the one half thereof to the King, and the other half to him that will sue in this behalf.

Repealed by
1 Jac. 1. c. 25.

C A P. X.

What persons shall take passage or land at Dover in Kent only, and who not:

ITEM, whereas by the noble King *Edward* the Third, progenitor of our sovereign lord the King that now is, after the conquest of the town of *Calais*, in his parliament holden in the ninth year of his reign, in relief and comfort of the town of *Dover*, one of the towns of the five ports in the county of *Kent*, did ordain that no merchant, pilgrim, nor none other person or persons, horse or beast, should take any passage towards the town of *Calais*, from any port or place within the county of *Kent*, but only from the port of the said town of *Dover*. And also that no merchant, pilgrim, nor none other person or persons, horse or beast, should come from *Calais* into any port of *Kent*, but only to the port of the said town of *Dover*, except soldiers and merchants coming and going with their ships freighted with merchandises, unless it were by the King's commandment, or otherwise that they were driven or compelled to take some other place or port by tempest. Also it was ordained and established by the authority of another parliament, holden in the xiii. year of the noble King *Richard* the Second, after the conquest, That all passage should be kept at the said town of *Dover* in the manner and form before rehearsed, and in none other place within the said county of *Kent*, as there hath been used and accustomed by reason of the premises, till now late, that notwithstanding divers pilgrims and merchants and other persons, which be no soldiers, with horses and other beasts, of late time have used commonly to take their passage towards the said town of *Calais*, at divers ports and places in the same county of *Kent*: and to come from *Calais* into *Kent* at divers ports and places in the same, other than in the said port of *Dover*, contrary to the grants and ordinances aforesaid, to the great damage, impoverishment, and desolation of the same town, and likely by continuance to be the cause of jeopardy and loss of the same town, castle, and the country

country adjoining. Our said sovereign lord the King, the premisses considered, and how the said town is set in the uttermost part of this realm next to his enemies, and hath no mean of comfort nor relief, but only by mean of the said passage, hath ordained, established and enacted by the advice, assent and authority aforesaid, That no pilgrim, merchant, nor none other person or persons, horse or beast, except soldiers, and merchants with their merchandises, in the manner and form before recited, shall from henceforth take their passage at none other place or port within the county of *Kent*, but only at the said port or town of *Dover*, if they may there have sufficient passage and shipping. And also that no pilgrim, merchant, nor none other person or persons, horse or beast, shall come from *Calais* to any port or other place within the said county of *Kent*, but only to the port of the said town of *Dover*, except soldiers and merchants with their merchandises, unless they have and shew the King's commandment in writing so to do, or else be compelled and driven to some other place or port by sudden tempest. And that every person, of what estate degree or condition he be, which voluntarily doth against this act or ordinance, shall forfeit for every time that he so doth, five marks: our sovereign lord the King to have the one half, to be employed upon the reparation of the castle of *Dover*, by the surveying of the constable or his lieutenant there, the other half to that person or persons of the said town or castle, being a freeman of the said town of *Dover*, that will commence or sue an action thereof against the offender. And that every person or persons of the said town or castle, freeman of the said town of *Dover*, may in his own name, have against every person that willingly offendeth this statute, a general action of debt of the said sum of five marks, and declare especially upon the same act or ordinance. And that process of outlawry and all other processes and determination shall be had in the said action, as is had and used in other general actions of debt. And also the master of every ship and vessel, which willingly contrary to this act doth convey to any place or places any pilgrim, merchant, or other person or persons, horse or beast, shall likewise forfeit at every time that he so doth, five marks, in the manner and form aforesaid to be sued, had, recovered, levied, and employed.

Ship master.

Repealed
21 Jac. 1. c. 25.

Statutes made at *Westminster*, Anno 7 EDW. IV.
and Anno Dom. 1467.

AT the parliament holden at Westminster the third day of June, the seventh year of the reign of King Edward the Fourth after the conquest, our said lord the King, by the advice and assent

AU parlement tenuz a Westm' la tierce jour de June en lan du reigne du Roy Edward le quart puis le conquest septisme mesme nostre seignur le Roy del advis & assent

sent des seigneurs espirituelx & temporelx & a la request de sez commonez en le dit parlement assemblez & par lauctorite de mesme le parlement ad ordeigne & establie certains statutz & ordenaunces en manere & fourme ensuivantz.

assent of the lords spiritual and temporal, and at the request of his commons, in the said parliament assembled, and by authority of the same parliament, hath ordained and established certain statutes and ordinances in manner and form following.

C A P. I.

For making of worsteds.

PRimerement que lou y sont sibien deinz la citee de Norwyce come ailleurs deinz le countee de Norff' diverses personnes queux fount wares meins verrois dez toutz maners des worstedes nient esteantz des assises en longueur ne laieur ne de bone stuff & droit-mell faisure sicome ils estre deivent & furent dauncien temps accoustumez & les sleies & file a yeell spectantz nient droitment faitz & overez en graund decait sibien des deinzseins come destrauges enhabitauntz ou reparauntz en cest roialme queux ount uzez & usent dachatier tielx merchandises consiantz qil serroiet dedeinz come y monstre dehors lou de verite si est contrarie et lou que worstedes en temps passe furent bealment & loialment overez & plesaunt merchandise & graundement desirez & ayez en les parties dela le mere ore par cause qils sont de non droit faisure & de nondroit stuff ils font reportz & appelez subtile & nondroit merchandise & de petit reputation au graund damage nostre dit seigneur le Roy & graund prejudice de son soiall people. Si nostre dit seigneur le Roy de lassent des seigneurs espirituelx & temporelx & a la request de sez commonez en le dit parlement esteantz & par auctorite de mesme

FIRST, *For that there be as well within the city of Norwich, as elsewhere within the county of Norfolk, divers persons which do make untrue wares of all manner of worsteds, not being of the assise in length nor in breadth, nor of good stuff and right making as they ought to be, and of old time were accustomed, and the sleyes and yarn pertaining to the same not well made and wrought, in great deceit as well of denizens as of strangers inhabiting or repairing to this realm, which have used and do use to buy such merchandises, trusting that they were within as they seemed without, where indeed it is contrary: (2) And for that the worsteds in times past were lawfully wrought, and merchandise well liked, and greatly desired and esteemed in the parts beyond the sea; now because they be of no right making, nor good stuff, they be reported and esteemed deceitful and unlawful merchandise, and of little regard, to the great damage of our lord the King, and great prejudice of his loyal subjects. (3) Our said lord the King, by the assent of the lords spiritual and temporal, and at the request of his commons being in the said parliament, and by the authority of the said parliament, for the wealth of his people, and the perpetual amendment of*

The election, oath, authority, searching and sealing of the wardens of worsted weavers in Norwich and Norfolk.

Four wardens
of worsted
weavers in
Norwich, and
other four in
Norfolk.
Altered by 13
& 14 Car. 2.
c. 5. l. 2.

Four wardens
shall take their
oath before
the mayor,
&c. 26 H. 8.
c. 16.

The wardens
power.

of the said worsteds, and es-
chewing and avoiding all man-
ner of deceits to be done and
wrought in worsteds by them
that work the same, and are
the means thereof, hath or-
dained and established, (4)
That men of the said craft
within the said city shall have
power every year, the *Monday*,
next after the feast of *Pentecost*,
to choose four wardens within
the said city of the same craft;
(5) and also that artificers of
the same craft likewise out of
the city, that is to say, within
the county of *Norfolk*, shall
have power every year at the
same day to choose four war-
dens within and of the said
county, of the same craft: (6)
And the aforesaid wardens in
the said county and city, to
come before the mayor of the
said city for the time being,
upon the *Monday* next after the
feast of *Corpus Christi* then next
following, and then to be sworn
before the mayor of the said
city, and the steward of the
duchy of *Lancaster* within the
said county for the time being,
if it happen him within the
said county then to be present,
or else before the said mayor
only, the said steward then be-
ing absent. (7) And that all
the said wardens, as well with-
in the said city as without, or
else the greatest part of them,
under this form before recited
chosen and sworn, shall have
full power for the year then
next following, to survey the
workmanship of the said arti-
ficers, and that they make and
work rightfully and well, and
of good stuff, and to ordain
such rules and ordinances with-
in the said craft, as often as it
shall seem needful or necessary
for
mesme le parlement pur le
bien de tout son people & en
perpetuall amendement de les
ditz worstedes & destruction
de toutz manerez deceites estre
faitz & overez es worstedes
par eux qi les overent & les
moiens dicell ad ordeigne &
establie qe homes du dit art
deinz la dite citee aient poir
chescun an le lunedie prochein
apres le fest de Pentecost de
eslier quatre gardeins deinz la
dite citee de mesme larte. Et
auxi qe lartificers de mesme lart
semblablement dehors la citee
cestassavoir deinz le countee de
Norff' aient poir chescun an
au mesme jour de eslier quatre
gardeins dedeinz & du dit
countee de mesme lart et les
avaunt ditz gardeins en les ditz
countee & citee de venter de-
vaunt le maire du dit citee pur
le temps esteant sur le lunedie
prochein apres le fest del Cor-
pus Christi adonques prochein
ensuant & illeques destre jur-
rez devaunt le maire de la dite
citee & le seneschall del duchie
de Lancastre deinz le dit coun-
tee pur le temps esteant si a-
veigne luy deinz la dite citee
adonques estre present ou autre-
ment devaunt le maire tant-
soulement le dit seneschall lors
esteant absent. Et qe toutz les
ditz gardeinz sibien deinz la
dite citee come dehors ou au-
tremet la greindre part deux
desoubtz cest fourme avaunt-
dit recitee esluz & jurrez aient
plein poir pur lan adonques
prochein ensuant de surver
lartifice de les ditz artificers
& qils facent & overent bien
& droitment & de bone stuff &
de faire & ordeigner autielx
rules & ordenaunces deinz la
dit art si sovent come i sembla-
ra as eux bosoignable ou ne-
cessarie

cessarie a lamendement de les ditz worsteds & art & qe autiex rules & ordenaunces par eux ensi faitz & ordeignez destre par les ditz artificers obeiez & gardez.

Ou autrement quatres de les ditz gardeins ceux de les ditz artificers qi ascuns de leur ditz rules & ordenaunces enfreinent ou facent le contrarie appellantz a eux vj. de les pluis discrettes de lez ditz artificers deinz la dite citee & vj. de les mesmes artificers deinz le dit countee par la discretion du dit maire ou seneschall ou dune deux puneront. Et qe chescun pece de worstede soit pursuant parmye la pece de leall feisure bone & convenient stuff et qils teignent les longueur & laeur sicome lassise soleoit estre dauncien temps droitement accustomedee cestassavoir beddes del pluis graund assise en longueur xiiij. aulnes largement & en laeur iiij. aulnes largement & beddes del mesme assise xij. aulnes en longueur & en laeur iij aulnes & beddes de pluis petit assise x. aulnes en longueur & en laeur ij. aulnes & dimi & draps appelez monkes clothes xij. aulnes en longueur au meins & v. quarters en laeur & draps appelez chanon clothes done assise vj. aulnes en longueur & ij. aulnes en laeur & de lautre assise v. aulnes & vij. quarters en laeur et double motleis vij. aulnes en longueur & v. quarters en laeur & senngle motleis vj. aulnes en longueur & v. quarters en laeur & double worstede x. aulnes en longueur & v. quarters en laeur et dimi double worstede vj. aulnes en longueur & v. quarters en laeur & rolle worstede xxx. aulnes en longueur & dimi aulne

for the amendment of the said worsteds and craft; and that all such rules and ordinances, so made and ordained by them, shall be obeyed and kept by the said artificers.

II. Or otherwise four of the said wardens, calling to them ^{Punishment of the offenders.}

six of the most discreet of the said artificers within the said city, and six of the same artificers within the said county, by the discretion of the said mayor and steward, or one of them, shall punish such of the said artificers which breaketh, or doth contrary to any of their said rules and ordinances. (2)

And that every piece of worsted shall be pursuing through the piece of lawful making, good and convenient stuff; (3) and that they shall hold the length and breadth as the assise was wont to be of old time rightfully accustomed, that is to say, beds of the greatest assise fourteen yards largely in length, and four yards largely in breadth; and beds of the mean assise, twelve yards in length, and three yards in breadth; and beds of the least assise, ten yards in length, and five quarters in breadth; (4) and cloths called monks cloths twelve yards in length at the least, and five quarters in breadth; (5) and cloths called chanon cloths, of the one assise six yards in length, and two yards in breadth; and of the other assise five yards in length, and seven quarters in breadth; (6) and double motleys seven yards in length, and five quarters in breadth; and single motleys six yards in length, and five quarters in breadth; (7) and double worsted ten yards in length and

The length and breadth of pieces of worsted.

five quarters in breadth, and the half double worsted six yards in length, and five quarters in breadth; and the roll of worsted thirty yards in length, and half a yard in breadth; (8) and that no lambs wool be put in any of the said worsteds. (9) And that the wardens of the said craft, and every of them, for the time being, shall have power and authority to seise all such cloths and stuff so being defective.

Wardens may seise defective stuff.

The mayor, steward, &c. may enquire of, hear, and determine offences.

Twelve artificers shall inquire of the eight wardens.

III. And that the said mayor and steward, and every of them, by twelve of the discreet artificers of the said city and county, shall have power at all times to enquire, hear, and determine of all such as do against the said ordinances within the said city or county. (2) And moreover, in eschewing all such deceits and falshoods which might happen to be wrought and done in the said craft by the eight wardens aforesaid, or betwixt themselves only, or in concealing of the false workmanship of other of the said artificers in the said city and county, that the mayor of the said city for the time being, and the said steward, or one of them, at such time as he shall think convenient, shall call before him the said twelve artificers, or the greatest part of them, and charge them to be sworn to make rightful search, as well in the stuff, as in all the working of the worsted by the said eight wardens hereafter to be wrought and made.

The punishment of the wardens defective in their duties.

IV. And that the said wardens so found defective either in execution of their office in search of all other of the same artificers within the said city and

aulne en laeur et qe ne soit mise en null de les ditz worstedes aucune laine dagnell. Et qe les gardeins del meisme lart & chefcun diceux pur le temps esteantz averont & avera poair & auctorite de seiser toutz tielx draps & stuff issint esteantz defectifs.

Et qe les ditz maire & seneschall & chefcune deux par xii. homes de les discretres artificers de les ditz citee & countee averont poair a toutz temps denquerer oier & terminer de toutz ceux qi sonnt encontre la dite ordenaunce deinz la dite citee ou countee. Et enoutre qe en eschuer dautielx deceite & faulxcete queux aveoigner puissent estre overez & faitz en la dite art par les viij. gardeins avaunt ditz ou entre eux meismes tantselement ou en counseil de faulx artifices dautres de les ditz artificers en les ditz citee & countee qe le maire de la dite cite pur le temps esteant & le dit seneschall ou un deux au tiel temps come luy qui de plus bosoignable ferra appeller devant luy les ditz xij. artificers ou la greindre part deux & ceux charger destre jurrez de faire droiturell serche sibien en le stuff come en tout lartifice de worstede par les ditz viij. gardeins enapres estre overez & faitz.

Et qe les ditz gardeins issint trovez defectifs ou en execution de leur office en serche de toutz autres de meismes les artificers deinz les ditz citee & countee ou en leur propre stuff ou artifice serroint correctz par meisme le maire ou seneschall en tiel fourme sicome autres trespasseurs meisme lart duissent de droit estre correctez. Et

Et qe les ditz gardeins & chef-
cun deux en chescun part de
la dite citee de Norwyce & ail-
lours en les countees de Norff^m
Suff^m & Cantebr^m au toutz
temps convenables averoient &
avera poair de sercher tout
maner des worstedes & le stuff
diceux sibien deins lomes o-
verez deinz la dite citee de
Norwyce ou countee de Norff^m.

Et si ascun homme devaunt
le dit maire ou seneschall ou
ascun deux soit entrove defec-
tief par leur discretion soit
correcte et le worstede & stuff
trovez en fourme avaunt dit
defectifs soient forfaites luns
moite dautiel forfaiture trove
en la dite citee de Norwice au
maire de meisme la citee &
trove aillours a le maire ou
baillifs des citees burghs & vil-
les ou as chiefs seignurs del see
de & en tielx lieux come il a-
viendra autielx wurstedes &
stuff par les ditz gardeins ou
par ascun deux par ascune cause
avaunt dit defectifs ou forfe-
tables estre trovez et lautre moi-
tee a les gardeins de la dite art
pur le temps esteantz. Et qe
null home de la dite art face
ascun wurstede saunz ceo qil
mette sur ceo son propre signe
tistez ou entexes par orde-
naunce de les ditz gardeins ou
autrement cell wurstede destre
forfait a nostre dit seigneur le
Roy.

Et outre ceo pur la pleins
reformation de les doceites &
faulxcete desuis recite par lau-
corise avaunt dit ordeignez est
& enacte qe les ditz viij. gar-
deins le dit lunedie prochain
apres Corpus Christi annuel-
lement encontinent apres leur
charge desuis recite devaunt les
ditz maire & seneschall ou un
deux receu assigneront encon-
tinent

and county, or else in their
own stuff, or workmanship,
shall be corrected by the said
mayor or steward, in such form
as other offenders of the same
craft ought of right to be cor-
rected. (2) And that the said ^{Where the}
wardens and every of them, ^{wardens may}
in every part of the said city ^{search.}
of *Norwich*, and elsewhere in
the counties of *Norfolk*, *Suffolk*,
and *Cambridge*, at all times
convenient, shall have power
to search all manner of wor-
steds, and the stuff of them,
as well within the looms, as
out of the looms, wrought
within the said city of *Nor-*
wich, or county of *Norfolk*.

V. And if any man, before
the said mayor and steward,
or either of them, be thereof
found defective, by their dis-
cretion he shall be corrected,
(2) and the worsted and stuff, ^{Defective stuff}
found in manner and form a- ^{shall be forfeit.}
foresaid defective, shall be for-
feit; the one half of such for-
feiture found in the said city
of *Norwich*, to be to the mayor
of the same city, and found in
any other place, to the mayor,
or bailiffs of the cities, bo-
roughs, and towns, or to the
chief lords of the see, of and
in such place, as shall happen
any such worsteds, and stuff by
the said wardens, or by any of
them, by any cause aforesaid,
to be found defective or for-
feitable; and the other half to
the wardens of the said craft
for the time being. (3) And ^{Every man}
that no man of the said craft ^{shall set his}
make any worsted, unless he ^{proper mark}
put his proper mark fixed or ^{upon his}
woven upon the same, by the
ordinance of the said wardens,
or else the said worsted shall
be forfeit to our said lord the
King.

Places of
search shall be
appointed and
also days.

VI. Moreover, for the full reformation of the deceits and falshoods above rehearsed, by authority aforesaid it is ordained and enacted, That the said eight wardens, the said *Monday* next after *Corpus Christi*, yearly, incontinently after their charge above recited before the said mayor and steward, or one of them, shall assign incontinently a certain place, or two, within the said city, and certain days by the week, and another certain place, or two, or more, if they think it necessary, in the said county of *Norfolk*, and certain days by the week for the year then next following, to the intent that every piece of worsted, which in the same year shall be set to sale, shall be brought before the wardens of the said craft for the time being, to one of the said places so by them assigned, to the intent, that as well the artificers of worsteds, and the said wardens, may certainly know the place where the said worsteds may duly and rightfully be searched. (2) And if the said wardens find the said worsteds by their search well and lawfully made, that then such a mark or token shall be set by the said wardens, or by one of them, without fine or fee, upon the same, so that all buyers may well know which piece is sufficiently and rightfully searched and wrought; and that the said search shall as well extend to the stuff of the same, as to the sufficient making: (3) And such as they shall find defective, that the mayor of the said city, and steward of the said duchy, or one of them for the time being, by the assent of

Wardens shall
set their mark.

the
tient une certain lieu ou deux
deinz la dite citee & certains
jours par septmaigne & une
autre certeine lieu ou deux ou
plusours fils quident bofoigna-
ble en le dit countee de Norff
& certains jours par septmaigne
pur lan adonques profchein en-
suant a lentent qe chescun
pece de wurstede qe en cell an
ferra mys a vend soit apporte
devaunt les gardeins de la dite
art pur le temps esteant al une
de mesmes les lieux issint par
eux assignez a lentent qe aux-
ibien les artificers des wur-
stedes come les ditz gardeins
savour puissent en certain le lieu
lou les ditz wurstedes puissent
duement & droitement estre
serchez. Et si les ditz gardeins
trovent les ditz wurstedes par
lour serche bien & loialment
faitz qe lors par les ditz gar-
deins ou par un deux saunz
fine ou fee illecoques soit mys sur
ceo tiel signe ou token issint qe
toutz achatours bien savoir
puissent qil est sufficientment &
droitement serche & overee et
qe le dit serche extende sibien
a le stuff dicell come a la suf-
ficient faisure & tielx quelx ils
trovent defectifs qe le maire de la
dite citee & seneschall de le dit
duchie ou un deux pur le temps
esteaunt par assent par les ditz
gardeins & xij. artificers ave-
ront ou avera poair par cest acte
de mettre en icell tiel correc-
tion come par eux semblera
raisonable & qe pur chescun
pece de wurstede venduz nient
signez en fourme avaunt dit qe
le primer vendour dicell forface
le price del pece issint par luy
vendue a nostre dit seigneur le
Roy et qe toutz ordenaunces
actes & grauntes faitz ou af-
fairez en prejudice ou contrarie
de les premisses concernants wur-

wurstedes soient voidez & de null effect.

Et qe toutz maires viscountes & baillifs & toutz autres officers soient entendauntz aidantz & supportantz a les ditz gardeins en lour serches si sovent come ceux ou ascun deux ferront ou ferra par les ditz gardeins ou par ascun diceux resonablement requis.

the said wardens and twelve artificers, shall have power by this act to set therein such correction as to them shall seem reasonable; and for every piece of worsted fold, not marked after the form aforesaid, That the first seller thereof shall forfeit the price of the piece so by him sold, to our lord the King; (4) and that all ordinances, acts and grants

made or to be made in prejudice, or contrary to the premises concerning worsteds, be void, and of none effect.

All officers shall be attendant upon the searchers. 20 H. 6. c. 10. 23 H. 6. c. 4. 14 & 15 H. 8. c. 3.

VII. And that all mayors, sheriffs, and bailiffs, and all other officers, shall be attending, aiding, and supporting to the said wardens in their search, as often as they or any of them shall be by the said wardens, or any of them, reasonably required.

C A P. II.

For cloths made in the hundreds of Liston, Tavistock, and Rowburgh in Devonshire.

ITEM monstre fuit a nostre dit seigneur le Roy en le dit parlement par les enhabitantz & residentz de les hundredes de Liston Tavistoke & Rowburgh deinz le countee de Devoince qe come en la darrein parlement commencez a Westminster le xxix^e jour d'Aprill lan de son reigne tierce & par diverses prorogations & adjournementes jusques le xxje jour de Janvier lan de son reigne quart continuez entre autres ordeigne fust par auctorite mesme le parlement qe nulle persone qe ferroiet ou ferroiet estre fait ascun drap lanuz au vend a le fest de Saint Peer appelez ladvincle delors prochein ensuant ne metteroit en ou desuis mesme le drap ne en la laine dont le dit drap ferroiet fait ascuns flokkes en ascun manere sur peine de forfeiture mesme le drap en quel ascuns autielx flokkes ferroient misez ou mixtez come par la dite ordonnance

ITEM it was shewed to our said lord the King in the said parliament, by the inhabitants and residents of the hundreds of Liston, Tavistock, and Rowburgh, within the county of Devon, That whereas in the last parliament begun at Westminster the nine and twentieth day of April, the third year of his reign, and by divers prorogations and adjournments continued till the xxi of January, in the fourth year of his reign, amongst other things it was ordained by authority of the same parliament, That no person which should make any woollen cloth to sell, from the feast called Saint Peter ad vincula then next following, should put in or upon the same cloth, nor in the wool whereof the said cloth shall be made, any flocks in any wise, upon pain of forfeiture of the same cloth, wherein any flocks should be put or mixt, as by the said ordinance more plainly appeareth. (2) By which ordinance the said

The inhabitants of certain hundreds in the county of Devon may put flocks in the cloths made of the wool growing in the same hundreds. 4 Ed. 4. c. 1.

in-

inhabitants being within the said hundreds, were likely to be undone, for that they have continually used, from the time whereof is no memory, to mix and put flocks in the cloth made there, of the wool growing within the same hundreds, without which flocks they might not, nor could make any cloth there to sell, by reason of the grossness and stubbornness of the said wool; for the same wool is not put in clothing, nor in cloth, in any part of this realm; so that our said lord the King by the said ordinance shall lose his customs, aulnages, and all other profits pertaining and belonging to him of the said cloth made in the said hundreds, and the inhabitants aforesaid for ever shall be utterly impoverished, and like to be undone, unless a reformation be had in the premises.

II. Our said lord the King (the premises considered) by the advice and assent of the lords spiritual and temporal, and the commons in this present parliament assembled, and by the authority of the same, hath ordained, that all the said inhabitants and residents in any places within the same three hundreds, may make, and cause to be made, all manner of woollen cloth of the said wool, and to the same lawfully put, and cause to be put, such quantity of flocks as shall be needful and profitable to the maker and owner of the same cloth; and that all the cloths after such form to be made with flocks within the said three hundreds, and every of them, may be bought and sold at all times, without any impeaching or damage of any person, and without forfeiting any of the said cloths, not-

with-

naunce plus pleinement appert. Par quell ordenaunce les ditz enhabitantz esteantz deinz les ditz hundredes furent semblables estre defaitz par cause qils qunt coninuelment ulez de temps qe null memoire est de commixtre & mettre flokkes en le drap illeokes fait de laine cressant deinz mesmes les hundredes saunz quelx flokkes ils ne poient ne savont feere aucun drap illeokes a vend par cause del grossure & stobourness de mesme laine qar la dite laine nest pas mys en drapeur ne en drap en aucun part de cest roialme issint qe nostre dit seignur le Roy perdera par la dite ordenaunce sez custumes aulnage & toutz autres profits a luy en cell part parteignaunts & regardauntz del dit draps fait en les ditz hundredes & les inhabitantz avaunt ditz pur toutz jours tout autrement serroient empoverishez & semblables destre destroiez sinoun qe reformation soit eue en les premises.

Nostre dit seignur le Roy les premises consideron ad ordigne par advis & assent des seignurs espirituelx & temporalx & les communez en le dit parlement assemblez & par auctorite del mesme qe toutz les ditz enhabitantz & residents es aucuns lieux deinz les ditz trois hundredes puissent faire & fere estre faitz tout manere drap lanus du dite laine & en icell licitement mettre & fere estre mys tiel quantite des flokkes come serra bosoignable & profitable al seifour & possesseur mesme le drap & qe toutz les draps en tiel fourme ove flokkes est e faitz deinz les ditz trois hundredes & chescun deux puissent estre achatez & venduz a toutes temps

temps saunz aucun empesche-
ment ou damage d'aucune per-
sone & saunz forfaiture d'aucun
de les ditz draps la dite ordonancee desuis reherces nient con-
tristeant.

withstanding the said ordinance & 6 Ed. 6.
above rehearsed. c. 6.
27 El. c. 17.

CAP. III.

*For woollen yarn and cloths unfulled, not to be carried out of
the realm.*

ITEM monstre fust en le dit parlement par les commenez qe come en diverses parties deinz cest roialme de jour en autre estoit use par merchantes sibien estraunges come deinszeins dachater file lanuez par les livres & autres poises es diverses merchies & feires dont drap serroit fait & semblablement dachater draps crudes nient fullez & mesmez le file & drap crude si nient fulle cariont oultre le meere pur toutz queux file & draps nient fullez nostre dit seigneur le Roy nulle manere custume aulnage ne null autre profit ne availle prist lou si le dit file fuissent triste & le dit draps fullez deinz le roialme le Roy averoit la custume & aulnage pur les mesmes & textiles & fullours le dit roialme serroient bien occupez pur defaute de qoy les lieges de nostre dit seigneur le Roy sont grandement endamages & empoverishez & estraunges parent le mieulx occupez & enrichiez. Si ad nostre dit seigneur le Roy de lassent des seignurs esperituelx & temporelx en le dit parlement assemblez & a la request des ditz commenez & par auctorite de mesme le parlement ordeigne & estable qe nulle persone deinszein ou estraunge a le fest de l'assumption qi ferra en lan nostre Seigneur Dieu Mille ccccix viij. carie ou face destre cariez as aucuns parties dela le mere aucun

ITEM, it was shewed in the said parliament by the commons, That whereas in divers parts within this realm, merchants, as well strangers as denizens, have daily used to buy woollen yarn by the pound, and other weights, in divers markets and fairs, whereof cloth should be made; (2) and likewise to buy raw cloths not fulled, and the same yarn and raw cloths so not fulled, did carry beyond the sea, for all which yarn and cloths unfulled, our lord the King did take no manner custom, aulnage, nor any other profit or avail; (3) where if the said yarn were woven, and the said cloths fulled within this realm, the King should have the custom and advantage for the same, and weavers and fullers of the said realm should be well occupied; for default whereof the King's liege people be greatly hurt and impoverisshed, and strangers thereby the better occupied and enriched. (4) Wherefore our said lord the King, by the assent of the lords spiritual and temporal, and at the request of his commons, in the said parliament assembled, and by the authority of the same, hath ordained and established, That no person, denizen or stranger, from the feast day of the Assumption, which shall be in the year of our Lord God 1468, shall carry, or cause to be carried, into any parts beyond the sea, any woollen yarn, or cloth not fulled,

led, but that the woolen yarn which shall be made after the same feast day in this realm, shall be woven in the same realm. (5) And also all cloth therein made, after the said feast day, shall be fulled, and fully wrought within the said realm, before that it be had and carried out of this realm, upon pain of forfeiture of the very value of all such yarn unwoven, and cloth not fulled, had or carried out of this realm; (6) the one half of the same forfeiture to be levied to the King's use, and the other half thereof to him or them that espieth or maketh proof of any such unwoven yarn, or cloth

3 H. 7. c. 11. not fulled, after the said feast
50 Ed. 3. c. 7. day, to be carried to any place
beyond the sea.

ascun file lanuz ne drap nient fullez mes qe le file lanuz affaire puis mesme le fest en cest roialme soit texez en icell. Et auxi tout drap en icell fait apres le dit fest soit fullez & pleinement overez deinz le dit roialme devaunt qe ascun dicell soit eue & carie hors de cest roialme sur peine de forfaiture de le verray value de tout tiel file nient texe & drap nient fulle euez ou cariez hors de cest roialme la moite de mesme la forfaiture destre levez al oepe nostre dit seignur le Roy & lautre moite de ceo a luy ou ceux qi espiera ou espieront ou ferra ou ferront prove dascun tiel file nient texe ou drap nient fulle puis le dit feste estre cariez a ascun lieu doutre le mere.

CAP. IV.

The effect of the King's grant of lands to them which before had right in them.

Ex edit. Pult.
The force of
the King's
grants, re-
leases, &c. of
lands to them
which before
had right to
them.

ITEM, by the advice, assent and authority aforesaid, it is ordained, That every grant, release, confirmation and restitution made and granted by the King in fee-simple or fee-tail, to any person or persons after the fourth day of *March*, the first year of his reign, of any manor or manors, lands or tenements with their appurtenances, whereunto the said person or persons before the time of every such grant, release, confirmation or restitution to him or them so made, had in or to the same right or title, shall be of such force and effect as they were before the beginning of the said parliament: any act made or to be made in the same parliament notwithstanding.

CAP. V.

How lands coming to the King's hands by attainder, and after granted to another, shall be holden.

Lands holden
of a common
person by feal-
ty, &c. com-
ing to the
King's hands
by attainder
of treason,
being after
granted to
another shall
be holden as

ITEM, by the advice, assent and authority aforesaid, it is ordained, That all lands, tenements, hereditaments, and other possessions, which the first day of *March*, next before the fourth day of *March*, the first year of the King's reign, were holden by fealty and rent, or other services, of any person or persons not attainted, which lands, tenements, hereditaments, or other possessions the fourth day of *March*, the first year of the King's reign, or any time after came into the King's hand or possession, by reason of any attainder of treason, and after passed from the King by any of his letters patents, to any person or persons, or hereafter

hereafter shall pass from the King by any of his letters patents, if the same
to any person or persons, that the same person or persons, and ^{attainder had}
every of them, and every their heir and heirs, assignee and assignees, ^{not been.}
successor and successors shall have, perceive and take such
rent and rents, as to any of them were due, and ought to be
due of the same lands, tenements, hereditaments, or other pos-
sessions, or any of them being in the hands of any other person
or persons than the King, as if the said attainders had not been
had. (2) And that it shall be lawful to every person or persons
not attained, and to every of them, and to every of their heir
or heirs, assignee and assignees, successor and successors in the
same lands, tenements, hereditaments or other possessions, being
in the hands of any other person or persons than of the King,
for the said rent or rents to distrain, after such manner and form
as they and every of them might have done, if the same attain-
ders had not been had. This act to be in his force the first day
of this said parliament.

Statutes made at *Westminster*, Anno 8 EDW. IV.
and *Anno Dom.* 1468.

NOSTRE seigneur le Roy
Edward puis le conquest
quart a son parlement com-
mencez a Westm' le tierce
jour de June lan de son reigne
septisme & par diverses proro-
gations & adjournementes jus-
ques le xije. jour de May lan de
son regne oept continuez mes-
me le xije. jour de ladvis & as-
sent des seignurs espirituelx &
temporelx & a la speciall re-
quest des communes en mesme
le parlement assemblez ad fait
ordeigner & establier diverses
statutes & ordenaunces en la
fourme qen suit.

OUR lord the King Edward
the Fourth after the con-
quest, at his parliament holden at
Westminster the third day of
June, the seventh year of his
reign, and by divers prorogations
and adjournments continued till the
twelfth day of May, the eighth
year of his reign; the same twelfth
day, by the advice and assent of
his lords spiritual and temporal,
and at the special request of his
commons, in the said parliament
assembled, hath made, ordained,
and established divers statutes and
ordinances in the form following.

CAP. I.

An act concerning set cloths.

FIRST, because it was shewed in the said parliament, by the
commons there being, concerning the clothmakers and
inhabitants within the county of *Norfolk*, *Suffolk*, and *Essex*,
that whereas long time past there hath been a good common
usage within the same counties, by the clothmakers there,
that divers woollen cloths called broad set cloths, and other cal-
led streit set cloths; that is to say, the set broad cloths every
cloth to contain after their sufficient workmanship thereto re-
quired

The length, breadth, and weight of broad set cloths and streit set cloths made in *Norfolk*, *Suffolk*, and *Essex*; and they shall

be sealed by
the aulsager.
Rep. 5 & 6
Ed. 6. c. 6.

quired ready to sale xxviij. yards and xxvij. inches in length by the creft, and in breadth seven quarters within the lifts directly from one end of the cloth to the other end of the fame. And every cloth of the faid fet broad cloths fo made ready to sale to weigh xxxviij. pound at the leaft or more. And the faid cloths called freit fet cloths to contain after their fufficient and rightfull workmanfhip thereto required ready to sale, in length xiiij. yards and xiiij. inches meafured by the lift. And in breadth iij. quarters and di. quarter of a yard within the lifts directly from one end to the other. And every cloth of the faid freit fet cloths fo made ready for sale, to weigh ix. li. and di. at the leaft or more, whereby the faid clothmakers and inhabitants in the faid counties did greatly prosper, and had great profit and good utterance of the faid cloths, and the King greatly increafed in his customs, till now of late that divers and many of the inhabitants and clothmakers within the faid counties, by subtil imagination craft and collufion did and now do make cloths there, naming fome of them broad fet cloths, and fome of them freit fet cloths. The which fo named broad fet cloths, the cloth paffed not the length of xxvj. yards, and fome lefs, and in breadth no more but fix quarters and fome lefs, and in weight not above xxviij. pounds and fome lefs. And the faid cloths called freit fet cloths, the cloth paffed not the length of xij. yards, and fome lefs, and in breadth but half a yard and half a quarter of a yard and fome lefs, and in weight not over seven pounds and fome lefs. By reason of which deceits, as well in the undue workmanfhip as in default of length breadth and weight, the faid clothmakers and inhabitants within the faid three counties, have not had nor may have utterance into ftrange parts nor to have profit of the faid cloths made after the form aforefaid, becaufe of the not due making aforefaid, to the great damage and utter undoing of the faithfull clothmakers inhabiting within the faid counties, and great damage to the King of his customs and devoirs in this behalf: our faid fovereign lord the King (the premisses confidered) by the advice and affent of the lords fpiritual and temporal, and at the request of his commons being in the faid parliament, and by the authority of the fame, hath ordained and eftablished, That all the faid cloths called broad fet cloths, and freit fet cloths, and every of them, which fhall be made within any of the faid counties after the first day of *Auguft*, which fhall be in the year of our Lord God one thousand four hundred threescore and eight, fhall be rightfully made in the form enfuing, That is to fay, every of the faid cloths called broad fet cloths, after they be fufficiently, perfectly, and rightfully made, clean fcoured, fully fearching, and ready to sale, fhall contain in length xxviii. yards, and xxviii. inches meafured by the creft, and in breadth seven quarters within the lifts directly from one end of the faid cloth unto the other. And every of the faid broad fet cloths after all the faid fufficient and perfect workmanfhip, clean fcouring, and full fearching, and made ready to sale fhall weigh xxxviij. pounds at the leaft.

And

And also that every of the said streit set cloths, which shall be made in any of the said counties after the said first day of *August*, after all manner sufficient perfect and right workmanship, clean scouring, and full sear, and ready to sale, shall contain in length fourteen yards and fourteen inches measured by the list, and in breadth three quarters and half quarter of a yard within the lists directly from one end to the other. And every of the said streit set cloths after all the said sufficient and perfect workmanship, clean scouring, and full sear, and ready to sale, shall weigh nine pounds and a half at the least. And that all the said cloths, called broad set cloths, and streit set cloths, which shall be made within any of the said counties after the said first day of *August*, of right and perfect workmanship, according to this ordinance, shall be sealed by the King's aulnager or sealer, with the seals of the subsidy and aynage within every of the said counties therefore ordained printed in wax. And that no person or persons, after the said first day of *August*, shall offer nor put to sale any of the said cloths, called broad set cloths or streit set cloths, not keeping full length, breadth, and weight, or not clean scoured or fully sear, according to this ordinance, upon pain of forfeiture of the same, the one half thereof to the use of our said sovereign lord the King, and the other half thereof to the party that shall espy and seise the same. And that no person or persons after the said first day of *August*, shall tack, pack, or carry any of the said cloths, called broad set cloths, or streit set cloths, out of any of the said counties, unless the same be sealed by the King's aulnager, or sealer, after the manner above ordained by this ordinance, upon pain of forfeiture of the same, the one half to the King, and the other half to the party which shall espy and seise the same. And if any aulnager, or any of his deputies within any of the said counties, shall seal any of the said set cloths, not containing the same length, breadth, and weight aforesaid, that then he shall forfeit for every broad cloth so sealed, six shillings eight pence. And for every of the streit set cloths so sealed xx d. the one half of the same forfeiture to be paid to the use of our said sovereign lord the King, and the other half to him that will sue for the same by action of debt, by writ or bill in any of the King's courts, at his election that will sue in this behalf. And in the same action to recover over and beside the said forfeiture, such costs and damages as be commonly used in an action of debt sued at the common law.

CAP. II.

An act concerning liveries of company.

ITEM, our sovereign lord the King, remembering that where in times past divers statutes have been made for the punishment of such persons, which give or receive liveries, with divers pains and forfeitures comprised therein: and that yet divers persons in great number, having no dread of the said pains and forfeitures, do daily offend against the form of the same: by the advice

The penalty for giving or taking of liveries, or for retaining.
Rep. 3 Car. 1.
c. 4.

advice and assent of the lords spiritual and temporal, and at the prayer of the commons of this realm, being in the said parliament, and by authority of the same, hath ordained and established, that all statutes and ordinances made before this time against any persons for giving or receiving of liveries and badges, shall be fully observed and kept. And moreover, that no person of what estate, degree or condition that he be, by himself or any other for him, from the feast of the nativity of *Saint John Baptist*, which shall be in the year of our Lord God, M.CCCC.lxviii. shall give any such livery or badge, or retain any person other than his menial servant, officer, or learned man in the one law or the other, by any writing, oath, or promise, and if any do the contrary, that then he shall run in pain and forfeiture for every such livery or badge, giving a C. s. and the retainer or taker of such oath, writing or promise, or retainer by indenture, for every such retaining or taking of any such oath or promise or retaining by indenture, shall incur the pain and forfeiture of one hundred shillings for every month that any such person is so retained with him, by oath, writing, indenture, or promise. And also that every person so retained, by writing, indenture, oath, or promise, for every such month that he is so retained, shall forfeit and lose one hundred shillings. And moreover the King, by the advice, assent, and authority aforesaid, hath ordained and established, That as well before the King in his bench, as before the justices of the common place, justices of peace in their sessions, justices of *Oyer and Terminer*, and gaol delivery; the King's justices in his counties palatine of *Lancaster* and *Chester*, for the time being, in every of those the King's courts aforesaid, before them or any of them; and in the regality and court of the archbishop of *York* in *Hexhamshire* before the justices there: and in the court of the bishop of *Durham*, in the county palatine of *Durham*, before the justices there, every person that will sue or complain against any person or persons offending or doing against the form of this ordinance, or any other of the premises, shall be admitted by the discretion of the judges in every of the said courts, to give information for the King therein, of any of the premises within the jurisdiction of every of the said courts done or committed. And every such informer, if he will, shall be admitted to sue for the King and himself, action for action upon the same by information to be given or made in any of the said courts, against as many such offenders in one bill or information to be named as liketh him, which so informeth. And this information so given shall stand and be instead of a bill, or original writ. And that thereupon all such process shall be had and made, as is had and made upon an original writ of trespass done against the King's peace. And if any of the offenders be present in any of the said courts, he by the commandment of every of the judges in the same courts, shall be brought in and put answer to such bill or bills by such information, by an oath first to be made upon a book by the informer, before any of the said judges, that this complaint is

rightful without any other or further process therein. And that the same judges and every of them, in every of the said courts, shall have power in their several jurisdiction, to examine all persons defendants, and every of them, upon every such information, and to judge him or them convicted or attainted as well by such examination as by trial, as the case requireth, after the discretion of the judges : and also shall be charged by the judgment in the same to the person complainant or informer in this behalf, of all the costs had in the same, by the discretion of the judges and judge in the same. And also the same party complainant to have the one half of the said forfeitures, and the King the other half. And all such execution to be had for the informer in this behalf, as is had, or ought to be had in recoveries of debt or trespass at his pleasure. And that no protection nor essoin be allowed upon any such information. And that no sheriff nor coroner return upon any defendant being a person sufficient, in any suit grounded upon any of the premises returned sufficient, any less issues than twenty shillings at the first day of the distress : and at the second day xxx. s. and at the third day forty shillings, and so at every day after, more by ten shillings in issues. And if any sheriff or coroner do the contrary, that then he shall forfeit for every such return against the form aforesaid, twenty shillings. And also by the advice, assent, and authority aforesaid, it is ordained, That in every city, borough, town, and port of this realm corporate, wherein the mayor, sheriffs, bailiff or bailiffs, or other chief officer of such city, borough, town or port, have power to hear and determine personal pleas : the same mayor, sheriffs, sheriff, bailiff or bailiffs, or chief officer in the court holden before them or any of them, within any such city, borough, town, or port, shall have all like and such authority to receive such information as to hear and determine as well by examination, as by trial by their discretion ; all things done concerning the premises, by, or to the inhabitants within the jurisdiction of the same court. And to make and to put this ordinance in execution, in like manner and form as is above ordained. And that our sovereign lord the King, shall have the one half of the forfeiture, and the informer therein, and the mayor, sheriffs, sheriff, bailiff or bailiffs, or chief officer of such city, borough, town or port, to have the other half equally to be divided betwixt them : whereof the part pertaining to the mayor, sheriffs, sheriff, bailiff or bailiffs, or chief officer, shall be applied to the use of such city, borough, town, or port. And that all retainings, and every retaining by indenture or other writing oath or promise of any person made before the said feast, other than to be menial servants or officer, or of his council, or for lawful service done or to be done, shall be from the said feast utterly void and of no force nor effect. And it is ordained and established, by the advice, assent, and authority aforesaid, That our sovereign lord the King, shall have the one half of all the said pains and forfeitures, in manner and form before ordained : except in cities,

boroughs, towns, and divers other places, where any person or persons have by reason of their privileges, liberties, franchises, or grants, like forfeitures and pains: and that every such person or persons, shall have the half of the said forfeitures and pains made by this act, according to their privileges, liberties, franchises and grants, as the King should have, if the said privileges, liberties, franchises and grants had not been had, granted, nor made. Provided always, That this act extend not, nor be prejudicial to any gift, grant, or confirmation made, or to be had of any fee, annuity, pension, rent, lands, or tenements, by the King or any other person or persons, to any person or persons for their council given or to be given, and their lawful service done or to be done, and for none other unlawful cause, nor none other unlawful intent: although that the person or persons to whom such gift, grant, or confirmation is or shall be made, be not learned in the one law or in the other. Also it is ordained by the advice, assent, and authority aforesaid, That every such gift, grant, or confirmation, shall be of like force and effect, and as good, effectual, and available, as they and every of them were, if this act had not been made. And by the said authority it is ordained, That no *Exigent* shall be awarded by any of the justices for the time being, within the said counties palatine of *Lancaster* and *Chester*, or either of them, or in the said bishoprick of *Durham*, against any person or persons, upon any information, suit, or process to be made by force of this ordinance and statute. And if any *Exigent* be awarded, or an outlawry thereupon pronounced, in any information, suit, or process to be made by virtue of this ordinance, as before is said, that then such outlawry shall be utterly void and of no force nor effect, without any suit or writ of error or otherwise. Provided also, That this ordinance do not extend to any livery given or to be given, at the King's or Queen's coronation, or at the stallation of an archbishop or bishop, or erection, creation, or marriage of any lord or lady of estate, or at the creation of knights of the bath, or at the commencement of any clerk in any university, or at the creation of serjeants of the law, or to give by any guild fraternity or mystery corporate, or by the mayor and sheriffs of the city of *London* or any other mayor, sheriff, or other chief officer of any city, borough, town, or port of this realm of *England*, for the time being, during that time, and for executing their office, or occupation, nor to any badges or liveries to be given in defence of the King, and of his realm of *England*, nor to the constable and marshal, nor to any of them for giving any badge, livery, or token for any such feat of arms to be done within his realm, or to any wardens of the marches toward *Scotland* for any livery, badge, or token of them to be given from *Trent* northward, at such time only as shall be necessary to levy people for defence of the said marches or any of them.

C A P. III.

In actions triable by jurors of Middlesex, the jurors shall be called the fourth day.

ITEM monstre fuist par les ditz commenez en le dit parlement depar les franc tenautes demurantz dedeinz le countee de Middlesex deinz quel countee annuellement sont plusours actions fuez & trials par xij. hommes euez qe sont dedeinz plusours autres countees de cest roialme causez par reseancie de toutz courtes du Roy tenuz & demurantz au Westm' deinz le dit countee ifint qe en chescun action jointz al issue en le dit countee ascuns de les ditz franc tenautes sont empanellez a lour graunt vexation & ensement outre les sessions de peas tenuz deinz le dit countee mesmes les franc tenautes chescun temps par inquisitions en le banc le Roy & sur deliverance des prisonnes illeoges & par actions sur patentz & tailles fuez en leschequer du Roy & as viscontz & autres accomptantz lour deputes & attornees surmisez estre monstrez & issues sur ceo jointz & prisez empanellez en icell ils sont emportunement vexe grevez & empoverishez et qe plus damage est quant ils sont empanellez en diverses actions personex & les Venire facias & Habeas corpora retournentz delaie per default ou effoin al partie pleignant ou defendant est alloue la ley accordant & mesque ascun de les empanellez adonqe vouldroit apparoir enqore la jurr' ne serra demaunde mes toutz lour defaultes faunz demaunder soit il amerciamento ou issues issint sur eux retournentz serront entrez esteant null

ITEM, *It was shewed by the commons in the said parliament, on the behalf of the freeholders dwelling within the county of Middlesex, within which county there be yearly many actions sued, and trials had by twelve men, more than be within many other counties of this realm, in regard of the resiance of all the King's courts holden and remaining at Westminster within the said county, so that in every action brought to an issue in the said county some of the said freeholders be impanelled, to their great vexation: (2) and also besides the sessions of peace holden within the said county, by inquisitions in the King's bench, and upon the deliverance of prisoners there, and by actions upon patents and tailles sued in the King's exchequer, and to sheriffs and other accountants, their deputies and attornies, surmised to be shewed, and issues thereupon joined and taken, the same tenants always impanelled thereupon be importunately vexed, grieved, and impoverished; (3) and, which more hurt is, when they be impanelled upon divers actions personal, and the Venire facias and Habeas corpora returned, a delay by effoin or default is by the law allowed to the party plaintiff or defendant; (4) and though some of them which be impanelled would appear, yet the jury should not be demanded, but all their defaults without demanding (be it amerciements or issues so upon them returned) shall be entered, no default being in them, which is against reason. (5) Our lord the King (the premisses considered) of Middlesex,*

The several charges and troubles which the freeholders of Middlesex, being jurors, endure. 4 Geo. 2. c. 7.

In actions triable by jurors considered)

the jurors shall be called the fourth day after the return.

sidered) by the advice of the lords spiritual and temporal, and at the request of the commons, in the said parliament assembled, and by authority of the same, hath ordained, That every juror, from the feast of the blessed *Trinity* next coming, that shall be impanelled and returned within the said county of *Middlesex*, in any of the said courts, in any of the said actions, at every fourth day of the return thereof shall be demanded and called, (6) and that all persons impanelled in any of those courts that do appear at the same day, their appearance shall be recorded, and there entered by the court, and they shall not be amerced, nor lose any issues the same day in that suit. (7) And it is ordained by the same authority, That every default, essoin, and every other delay of any person, plaintiff or defendant, in any such personal action by the law heretofore used, by this ordinance shall not be prejudiced nor taken away in any manner, but be adjudged, adjourned, and allowed in as ample and large form, as they were before the making of this statute, this ordinance notwithstanding.

Delays in personal actions not prejudiced by this statute.

null default en iceux qoy est encontre raison. Nostre dit seigneur le Roy les premisses considerez de ladvis des seignurs espirituel & temporelx & a la requeste de ses communes en le dit parlement esteantz & par auctorite del mesme ad ordeigne qe chescun jurr^r a le fest del benoit Trinite proschein venaunt denpaneller & a retourner dedeinz le dit countee de *Middlesex* en aucun de les ditz courtes al chescun quart jour de retourne dicell soit demaundes & appellees et qe tantz persones empanellez en aucun diceux come apparont a cell jour qe leurre apparence soit recorde & la entre par la court & ne soient amerchiez ne perdent ascuns issues celle jours en icell sute. Et ordeignez est par la dit auctorite qe la default essoin & chescune autre delaie dascune persone pleignaunt ou defendaunt en aucun tiel action personnel par la ley cydevaunt ulez par cest ordenaunce ne soient prejudices ne tolles en aucun maner mes estre adjudgez adjournez & allowez en si ample & large fourme sicome ils furent devaunt la faisure de cest ordenaunce cest ordenaunce nient contristeant.

C A P. IV.

For sheriffs.

Ex edit. Rast. Sheriff.

A pardon to all those that occupied the sheriffwick above one year, An. 1. 2. 3, Ed. 4. and yet the statutes made 14 Ed. 3. stat. 1. c. 7. 4. Ed. 3. c. 9. and 23 H. 6. c. 8. for all the

ITEM, whereas in the fourteenth year of the reign of King *Edward* the Third, progenitor of our sovereign lord the King that now is, it was ordained, That no sheriff should abide in his office over a year. And in the two and fortieth year of the reign of the same King *Edward* the Third, it was ordained that no sheriff, nor undersheriff, nor sheriff's clerk, should abide in his office over a year, which ordinances amongst other in the twenty third year of the reign of the late pretended king indeed, and not of right, *Henry* the sixth, in the full parliament were rehearsed, and by authority of the same it was ordained, That if any sheriff, undersheriff, or sheriff's clerk, other than in the same ordinances was excepted, should occupy the office of sheriff, undersheriff,

undersheriff, or sheriff's clerk, contrary to any of the said ordinances, that then he that so should occupy, should forfeit the sum of two hundred pounds. And that every pardon from thenceforth to be made of such forfeiture of the said sum, should be void and not vailable. And that every liege man, that would sue for the same sum forfeit against him or them, which so should forfeit, should be received and admitted to sue an action of debt in his own name: the King to have the one half of that that should be recovered by the said action, and he or they that so would sue, to have the other half thereof, as in the said ordinance, made the said twenty third year, doth more fully appear. Contrary to which ordinances divers sheriffs, undersheriffs, and sheriffs clerks, of divers counties of this realm, in the first, second, and third years of the reign of our sovereign lord the King that now is, then being in this realm great trouble, and peace then not fully established, did occupy over a year, some of them by a greater space over a year, and some by a less, caused in divers parts of this realm by the said trouble, and in some parts because that none other sheriff was ordained by long space after the year past: our said sovereign lord the King, by the advice and assent of the lords spiritual and temporal, and at the request of his commons in the said parliament assembled, and by authority of the same hath ordained and stablished, That no manner person being sheriff, undersheriff or sheriff's clerk, of any county of this realm, the first, second or third year of his reign, or at any time or space within the same, for the occupation of the office of sheriff, undersheriff, or sheriff's clerk, in the three years, or any part or space within the same or of the same, or any of the same, above a year, although their occupation were against the ordinances before recited, nor none of them be damnified, nor in any wise hurt by any action pain or forfeiture in the same ordinances, or in any of them comprised, at the suit of our said sovereign lord the King, nor at the suit of any of his liege people, but that the same sheriffs, undersheriffs, and sheriffs clerks, and every of them, of and for every pain, action, and forfeiture pursued or to be pursued, levied or forfeited of them or any of them, by our said sovereign lord the King, or any of his liege people, for their occupying of the said three years, or any space or time within the same, be quit and discharged for ever by this act. The said ordinances, or any of them made before the time notwithstanding. Yet nevertheless the same ordinances and every of them shall remain in their strength and force against all sheriffs, undersheriffs, and sheriffs clerks, for their occupation of Sheriffs clerks; all other years, than the said three years as aforesaid, as the same ordinances were before this act made,

other years
shall continue.
Pardon.

Statutes made at *Westminster*, Anno 12 EDW. IV.
and Anno Dom. 1472.

AT the parliament holden at Westminster the sixth day of October, in the twelfth year of the reign of King EDWARD the Fourth after the conquest; our said sovereign lord the King, to the honour of God, and the weal of him, and of his realm, by the advice and assent of the lords spiritual and temporal, and at the request of his commons, in the same parliament assembled, and by authority of the same parliament, hath ordained, made, and established certain statutes and ordinances in form following.

AU parlement tenuz a Westminster le vje. jour Doctobre lan du reign du Roy EDWARD le quart puis le conquest xije. mesme nostre dit seigneur le Roy al honour de Dieu, & pur le bien de luy & de son roialme, del advys & assent dez seignurs espirituelx & temporelx & a la requeste de sez communes, en mesme le dit parlement assemblez, & per auctorite de mesme le dit parlement, ad fait ordeigner & establier certains estatuitz & ordenancez en la fourme qe ensuist.

C A P. I.

How long a sheriff, not being discharged, may occupy his office.

23 H. 6. c. 8.

FIRST, whereas by a statute made at Westminster, in the twenty third year of the reign of King HENRY, late in deed, and not of right, King of England, called King HENRY the Sixth, it was ordained, That no sheriff should occupy his office of sheriff above a year, upon pain of two hundred pounds; (2) except certain persons in the said statute excepted, as in the same is more plainly specified: (3) divers and many of the King's liege people have been grievously indamaged, and greatly delayed of their suits and processes every year, in the term called Michaelmas term, as for their actions, writs, and precepts to be returned within the same term, after the sixth day of the month of November, because that the King's letters patents whereby any sheriff is made, do most commonly bear date the sixth day of November, (4) and though it be so, that the new sheriffs be yearly chosen the morrow

Primement, pur ceo qe per estatuit fait a Westminster en lan du reign du Roy HENRY jadys en fait & nient de droit Roy Dengleterre, appelez le Roy HENRY le vje. puis le conquest xxij. estoit ordeigne, qe null viscount occupieroit son office de viscount oustier un an, sur payne ne CC. li. except certains persons en mesme estatuit exceptz, come en ycelle est pluis pleynement especifiez; diversez & plusours des liegez du Roy ount estez grevousment endamages & graundement delaiez de lour suitez & processez chescune an en le terme appelez Michel terme, come pur lour actions briefs & preceptz destre retournez deinz mesme le terme apres le vje. jour du mois de Novembr', pur ceo qe lez lettres patentz du Roy, per les quels aucune tiel viscount est fait, portent date pluis communement le vje. jour de Novembre; & communement qil

soit,

soit, qe novels viscountz soient annuelment eslieux en lende-
mayn dez toutz almez, de les
quelx novelx viscountz issint
eslieux & appointez diversez de
eux ount refusez, & diversez
de ceux nount mye ewez leur
patentz, ne preigneuz leur sere-
ment, jelsques long temps apres
le fine del dit Michell terme :
pur quoy plusours liegez & sub-
gietz du Roy sount graunde-
ment endamages & delaiez de
leur processez & preceptz, qe
serrount retournablez en lez
courtz du Roy as les jours del
retourne deinz mesme le terme
apres le vje. jour de Novembr',
scilicet as les jours del retourne
appelez Craffino Martini, Oc-
tabis Martini, & Quindena
Martini, pur cause qe les veel-
ez viscountz nosent ne voillent
prendre sur eux de retourner
ascune brieve ou precept apres
lan qe son patent port date,
pur paour del peyne en le a-
vaunt dit estatuit conteignuz, a
grand perdre, sibien a Roy de
ceo qe luy accresceroit per rea-
son de lez ditz processez, co-
me a son liege poeple per delai-
ez qils ount per ycell : fy est il
ordeigneuz per lauctorite du dit
parlement, qe si ascune viscount
dascun countee execute ou re-
tourne ascune brieve precept ou
warrant en ascuns des courtz du
Roy deinz le dit terme appelez
Michell terme, apres le vje.
jour de Novembr' & devaunt
ascune brieve de discharge deli-
verer a luy de sa occupation de
viscount, ne soit endamage per
force du dit estatuit, ne del
peyne avaunt dit soit charge :
tout soit il, qe celluy ad occu-
pie loffice de viscount per lan,
quaunt pur ascuns de les ditz
jours de retourne appelez Craff-
ino Martini, Octabis Martini,
ou Quindena Martini.

*after the feast-day of All-souls, of
which new sheriffs, so chosen and
appointed, divers of them have
refused, and divers of them have
not had their patents, nor taken
their oath, until long time after
the end of the said Michaelmas
term, by reason whereof divers of
the King's liege people and subjects
be greatly endamaged and delayed
of their suits, proseses, and pre-
cepts, which should be returnable
in the King's courts at the days of
the return within the same term,
after the sixth day of November,
that is to say, at the days of return
called Craffino Martini, Octa-
bis Martini, and Quindena
Martini, because that the old
sheriffs durst not, nor would not
take upon them to return any writ
or precept after the year that his
patent did bear date, for fear of
the penalty contained in the afore-
said statute, to the great loss, as
well to the King of that which
should grow to him by reason of
the said process, as to his liege peo-
ple, by delays which they thereby
sustain.* (5) It is ordained by
authority of the foresaid par-
liament, That if any sheriff of
any county do execute, or re-
turn any writ, precept, or
warrant in any of the said courts
of the King, within the said
term called *Michaelmas* term,
after the sixth day of *November*,
and before any writ of discharge
delivered to him of his occupy-
ing of sheriffwick, he shall not
be damnified by force of the
said statute, nor charged of the
penalty aforesaid, although that
he hath occupied the office of
sheriff after any of the said days
of return called *Craffino Marti-
ni, Octabis Martini, or Quindena
Martini.*

A sheriff being
not discharg-
ed, may occu-
py his office
during Mich-
aelmas term,
notwithstand-
ing the statute
of 23 H. 6. c. 8.
Dyer, 355.
17 Ed. 4. c. 6.

C A P. II.

Four bowstaves shall be brought into this realm for every tun of merchandise.

Four bow-
staves shall be
brought into
this realm for
every tun of
merchandise.

ITEM, because that our *sou-*
reign lord the King, by a pe-
tition delivered to him in the said
parliament, by the commons of the
same, hath perceived, That great
scarcity of bowstaves is now in this
realm, and the bowstaves that be in
the realm be sold at an excessive
price, whereby the exercise of
archery is greatly discontinued, and
almost lost; (2) our said lord the
King considering the premises,
by the advice, assent, and au-
thority aforesaid, hath ordained
and established, That every
merchant stranger, and every,
or any of their factors, attor-
nies, or servants, which at any
time after the feast of *St. Mich-*
ael the archangel next coming,
shall bring, send, or convey in-
to this land any merchandise in
carrack, galley or ship, of the
city or country of *Venice*, or of
other city, town, or country,
from whence any such bow-
staves have been before this
time brought, sent, or convey-
ed into this land, at every time
of their bringing, sending, or
conveying of any such mer-
chandises into this realm, shall
bring, send, or convey into
this realm, with the said mer-
chandises, in the same carrack,
galley, or ship, wherein any
such merchandises shall be here-
after brought, sent, or convey-
ed, for every tun weight of
such merchandises which here-
after shall be contained in every
carrack, galley, or ship, four
bowstaves, (3) upon pain of
forfeiture to the King for every
default of bringing of every
such bowstaff vi. s. viii. d. (4)
and also the said bowstaves so
brought,

ITEM pur ceo qe nostre seig-
nur le Roy, per un petiti-
on a luy baillie en le dit parle-
ment per les communes dicelle,
ad entendue, qe graunde es-
carcite de bowestaves or est en
cest son roialme, et ceux bowe-
staves, qe sount en mesme le
roialme, sount venduz a trop
excessive price, perount le fete
darcherie est grandement dis-
continuez, & bien pres per-
duz; mesme nostre seigneur le
Roy, lez premissez considerant,
del advys assent & auctorite
suisditz, ad ordeigne establie &
enacte, qe chescune marchaunt
estraunger, & chescune ou as-
cun del lour faitours actours ou
servauntz, qi al ascun temps
apres la feste de Seint Michell
larcaungell proschein veignant
amefnerount envoierount ou
convoierount en ceste terre as-
cune merchaundise en carrike
galoie ou nief de la citee ou pays
de *Venice*, ou del ascune autre
citee ville ou pays de quele as-
cuns tielx bowestaves devaunt
cest temps ount este amefnez
envoiez ou convoiez en cest
terre, a chescune temps de lour
amefnaunce envoiance ou con-
voiance dez tielx merchaun-
disez en cest roialme amefnent
envoient ou convoient en mes-
me le roialme ovesqe lez ditz
merchaundises, en mesme le
carrik galee ou nief en quele as-
cuns tielx merchaundises ser-
rout amefnez envoiez ou con-
voiez en apres, pur chescune
pois de toneau dautiel mar-
chaundise, qe en apres sera
conteignuz en chescune carrik
galoie ou nief, quatre bowe-
staves,

staves, sur payne de forfaiture au Roy pur deffaute dames-nance decheescune autiel bowestave vj. s. viii. d. et auxi les ditz bowestaves ensi amefners envoiers ou convoiers per lez ditz marchauntz lour faitours attourners ou servauntz en cest roialme soient serchez & serveiez per les mairs viscountz baillifs ou chief governours dautielx citees ou villes deinz cest dit roialme, per la ou en ascune tiel carrike galee on nief aviendra en apres, de fair son port salu. Et les ditz mairs viscountz baillifs ou chief governours dassigner deux hommes, expertez de sercher les ditz staves, & lez ditz deux hommes destre juries per lez ditz mairs viscountz baillifs ou chief governours, a lentent qe ils ferrount signer veraiemment & indifferentment les ditz staves nient esteantz bones ne sufficeantz, en tiel manere come en temps passe autielx staves soleint estre signez, al entent qe tout liege poeple de nostre dit seignur le Roy puissent aver conif-
aunce diceux saunz fraude.

brought, sent, or conveyed by the said merchants, their factors, attornies, or servants into this realm, shall be searched and surveyed by the mayor, sheriffs, bailiffs, or chief governors of such cities or towns within this realm, where any such carrack, galley, or ship shall hereafter come to safe port; (5) and the said mayors, sheriffs, bailiffs, or chief governors shall assign two men most expert, to search the said staves, and the said two men to be sworn by the said mayor, sheriffs, bailiffs, or chief governors, that they shall truly and indifferently mark the staves that be not good and sufficient, according to the manner as such staves in times past were wont to be marked, to the intent that all the King's liege people may have knowledge of them without fraud.

Bowstaves brought into this realm shall be surveyed, searched, and marked.

13 El. c. 14.

C A P. III.

An act for the subsidies.

ITEM, whereas in the parliament holden in the third year of the reign of our said sovereign lord the King, the commons of the same realm of *England* granted to him for the defence of the same realm, and especially for the safeguard and custody of the sea, a subsidy, called tunnage, to perceive and receive in manner and form following, that is to say three shillings of every tun of wine coming into this realm: and of every tun of sweet wine coming into this realm of *England* by any merchant alien, as well by the merchants of *Hanse* and *Almain*, as of any other merchant stranger three shillings over and above the said three shillings before granted, to have and perceive the said subsidy yearly from the feast of *March* in the year of our lord God M, CCCC, LXIV. for term of his natural life. And moreover the said commons, by the assent afore said granted to the King for the safeguard and keeping of the sea, another subsidy called poundage, that is to say, of all manner merchandises of every merchant denizen and alien, as well of merchants of *Hanse* and *Almain*, as of any other merchant alien, carried out of this said realm,

Ex edit. Rast. the said act of parliament of the grant of the subsidy in the third year of King Edward the Fourth, was never yet put in any book.

Subsidy.

realm, or brought into the same by way of merchandise, of the value of every xx. s. xij. d. except tin, whereof the merchant strangers shall pay for subsidy of the value of every xx s. ij. s. And the merchants denizens xij. d. And all manner merchandises of every merchant denizen to be valued according as they did cost at the first buying by their oaths, or oaths of their servants buyers of the said merchandises in their absence, or by their letters, which the same merchants have of such buying of their factors, and in none other manner. All manner woollen cloths, made and wrought within this realm of *England* by any merchant denizen, not being an alien born, to be carried out of the same realm within the time of this grant: all manner wools woelfels and leather going out of the same: and all and every manner of corn flour: and all manner of fresh fish best ale and wine coming into this realm: and all manner victual going out of this realm for the victualing of the town of *Calais*, and the marches of the same under the King's obedience, out of this grant always excepted: to have and perceive yearly the said subsidy of poundage from the said first of *March* during his natural life, as in the grant thereof made more largely is contained: the King perceiving the great deceit done to him, in withdrawing and concealing of the said duties: and amongst other things many and divers merchants strangers and denizens do use to bring into this realm cloth of gold, cloth of silver, bawdkin, velvet, damask, satin, sarcenet, tartaron, chamlets, and other cloths of silk and gold, and of silk being of great value by way of merchandises from the parts beyond the sea: and by subtil and fraudulent means convey the same merchandises to the land, not paying the very customs and subsidies thereof due after the form of the said act, nor the same merchants strangers do not employ the value of their said merchandises upon the commodities of this realm, to the great damage of the King and of this his realm: and although the said subsidy was granted to him especially for the keeping of the sea: yet by reason of the said deceits withdrawing and concealing of the said duties from the King, which should and ought to come of the aforesaid subsidy, the profit thereof coming to the King is so diminished and impaired that it attaineth not, nor hereafter is like to attain to any like sum, as it hath done in times past, nor sufficeth not, nor in time to come is like to suffice and sustain the King's necessary and requisite charges for the keeping of the sea, for the surety of the King and of this realm, and for the sure passage of merchandises into this realm and out of this realm, unless that a convenient and sure remedy be provided to expel and remove the said deceits. Therefore our sovereign lord the King, by the assent of the said lords spiritual and temporal, and the said commons in this parliament assembled, and by authority of the same, hath ordained established and enacted, that from the feast of the nativity of Saint *John Baptist* next coming, no merchant denizen or stranger shall set or suffer any cloth of gold, of silver, bawdkin, velvet, damask, satin, tartaron,

ron, or chamlet, nor none other cloth of silk, nor any corse of silk and of gold, nor of silk of the making of any of the parts beyond the sea to sell, before that the collectors of the subsidy of tonage and poundage and the comptroller of the same in the port where such merchandise is set upon land, hath surveyed and measured the same. And hath sealed every piece thereof in the one end thereof, with the seal or mark especially to be ordained for the same, whereof the same collectors have the one part, and the comptroller have the other part severally in their custody. And if any such cloth of gold, of silver, bawdkin, velvet, damask, fatin, sarcenet, tartaron, chamlet, and cloth of silk and of gold, be any time hereafter set to sale not sealed, nor having such seal thereupon: that then he which setteth such merchandise to sale, shall forfeit the same merchandise or the value thereof, whereof two parts shall be to the King, and the third part to the finder. Also it is ordained by the same authority, That the collectors of the same subsidy and the said comptroller, shall at all times requisite, be ready to seal such merchandise: and to seal the same at all times when they be required without delay, or taking any thing for the same in any wise, upon pain of forfeiture to the owner thereof twenty shillings for every of the said collectors and comptrollers at any time that they refuse to seal such merchandise after such request made, or take any thing for the sealing of any such merchandise. Also it is ordained by the authority aforesaid, That all manner of such cloths of gold, of silver, bawdkin, velvet, damask, fatin, sarcenet, tartaron, chamlet, and every other cloth of silk, corse of gold and silk now being within this realm, and after the feast of Saint *Michael* the archangel next coming, offered to sell, shall be sealed with the said seals before the said feast, upon the pain before specified. Also whereas it is expressed in the said grant of the said subsidy, that if any concealment be found in the merchants in the payment of the said duties, That they for such concealment shall pay only double subsidy without other pain or forfeiture therein, as in the same act is more fully contained. The King considering that notwithstanding the same ordinance, merchants do not regard to defraud him of his duty of the said subsidy, in as much as they do nothing forfeit in that behalf, but only pay the double subsidy, by the advice assent and authority aforesaid hath ordained and established, That the same statute in this behalf be void, and of no strength. And if any merchandises, which be to be brought to the parts beyond the sea, or to be carried out of this realm, whereof any subsidy is or shall be due or pertaining to the King, be hereafter shipped to be carried beyond the sea, the collectors of the said subsidy not paid, or without agreement with the collectors of the said subsidy for the same, That then the said merchandises or the value thereof, shall be forfeit to the King. Also whereas divers merchants strangers and other ostentimes in the city of *London*, and in other places have packed divers woollen cloths, some in grain, some ungrained, and other cloths not grained, and the same
so

so packed cause to be carried by land from *London* and other places to other ports, as to *Sandwich*, *Southampton* and other ports, whereas the customers for the time being without due packing or sight of such cloths, upon the information of the merchants, do custom such cloths, as for coarse cloths, whereby the King is greatly deceived of his duties thereof, as well in the fineness of such cloths, as in the not knowing of the number of the cloths so packed. Therefore the King by the advice and assent aforesaid, and by the same authority doth ordain establish and enact, That in every port within this realm of *England*, wherein any woolen cloths shall be packed after the first day of *May* next coming, in the presence of the collectors of the aforesaid customs and subsidies, of the same port for the time being, That all such customs and subsidies, due and pertaining to the King for the said cloths, shall be paid and contented to the same collectors, where the said cloths be so packed, or else sufficient surety shall be thereof to them found, before that the same cloths be carried from the said port to any other port or place, upon pain of forfeiture of all the same cloths, or the value thereof, to be had of the owner of the same. And if any woolen cloths to be carried over the sea, be packed in any other manner, or under any other form, That then the collectors of the port where they be so packed or brought to be packed, shall seise and there unpack all the said packs and fardels, and survey all the cloths therein, so that our sovereign lord the King may be truly answered of his duty in this behalf, without any fraud or deceit. And if any customer or comptroller of any port or place be negligent or slack in unpacking of the said cloths, or surveying of them in the form aforesaid, That then and as often every such customer and comptroller for every such default shall forfeit to our sovereign lord the King twenty shillings for every such cloth. Moreover it is ordained by the advice and assent aforesaid, That every of the said collectors receiving any custom or subsidy for any of the said cloths or surety for the same, shall be thereof charged and chargeable to our sovereign lord the King upon his or their accompt. And that the same collector or collectors shall from time to time make a cocket or cockets of all such cloths, directed to the collectors of the port where the same cloths shall be shipped, witnessing their number, and that he or they have received the customs and subsidies of the same cloths, or surety for the same. By which cocket or cockets the said collectors or the receivers of them, shall be thereof discharged against our sovereign lord the King, and all other of all the same customs and subsidies. Provided always, That this act or ordinance be not prejudicial nor in any wise hurtful to any person or persons in or for any letters-patents made by the King our sovereign lord of any grant, of licence to ship and carry out of this realm of *England* any woolen cloths or other merchandises specified in any of the said letters-patents, to retain the customs and subsidies in their own hands, or in the hands of any of them. And that the same letters-patents be to the same person or persons and every

11 H. 7. c. 6.

4 H. 8. c. 6.

6 H. 8. c. 14.

every of them good and effectual after the tenor of the same letters-patents and every of them, this act or ordinance notwithstanding, by whatsoever name or names any of the said person or persons be named or called in any of the said letters-patents.

C A P. IV.

For liveries to be given by the prince.

ITEM; our said sovereign lord the King considering, that Edward prince at his liberties to give their livery and signs at their pleasure, give his honourable livery and sign, and that divers statutes against givers and takers of liveries and signs, as well in the time of his noble reign, as in the time of his progenitors and predecessors have been made: and that notwithstanding by force of any of the said statutes his dear beloved first begotten son Edward prince of Wales, duke of Cornwall, and earl of Chester, is as well as any other person restrained of giving such liveries and signs: our sovereign lord the King, willing that his said first begotten son the prince be at his liberty, in receiving any person and giving his signs and liveries, in as large form as any prince first begotten son of any of his noble progenitors or predecessors in times past hath been, hath ordained and established, by authority of the said parliament, That the said prince shall be at his liberty, to retain and give his honourable livery and sign at his pleasure. And that the persons so retained, or to whom such liveries or signs be or shall be given, may be retained and receive and wear the same livery and sign, without trouble, impediment or impeachment, pain, contempt or forfeiture of any penalty contained in any of the said statutes: the said statutes or any thing in them comprised notwithstanding. Nor that the said statutes in any manner shall extend to any retaining to be made by the said prince in giving taking or retaining of any livery or sign of the same prince.

C A P. V.

For shipping of wools.

ITEM, our said sovereign lord the King remembering that During five years the things it is ordained and enacted, That all manner wools and woolfells, and fells called morling and shorling, growing within any part of this realm and Wales, wools and woolfells morling and shorling growing in any part within the counties of Westmoreland, Cumberland, Northumberland, in the bishoprick of Durham, betwixt the waters of Tyne and Tees: and of the counties of Richmondshire and Northaldertonshire except wools to be shipped towards the West in gallies and carracks, to be shipped and carried out of the realm, shall be conveyed to the staple of Calais, and to none other place upon pain of forfeiture of the said wools woolfells and fells called shorling and morling, as in the same statutes doth more fully appear. Nevertheless, the said ordinances and statutes notwithstanding a great multitude of wools and

of certain counties only shall be carried to Newcastle, and all other to Calais, upon pain of felony.
3 Ed. 4. c. 1.
4 Ed. 4. c. 3.
14 Ed. 4. c. 3.

and woolfels called morling and shorling, growing in *Yorkswold*, in the counties of *Lincoln*, *Nottingham* and *Derby*, and other counties of this realm of *England*, under the colour of the exception before recited, in the same *North* parts be carried out of the realm into *Flanders*, *Holland*, *Zealand*, *Brabant*, and other parts beyond the sea, whereby ensueth not only great decay of the customs and subsidies of our sovereign lord the King, but also the destruction of the price of wools woolfels and fels called morling and shorling, growing within this realm, to the universal damage and impoverishing of the same: whereupon by the advice assent and authority aforesaid, it is enacted ordained and stablished, That all the wools woolfels and fels called morling and shorling, growing within this realm, other than before excepted, to be shipped and conveyed out of this realm, shall be conveyed to the staple of *Calais* and to none other place. And that all other wools woolfels and fels called morling and shorling, growing and being within the said counties of *Westmoreland*, *Cumberland*, *Northumberland*, the bishoprick, *Richmond* and *Alderton*, to be carried out of this realm of *England*, shall be shipped at *Newcastle* upon *Tine* only: and from thence to be conveyed to *Calais*, or to new *Middleborough* in *Flanders*, there to be stapled and uttered, and at none other place. And if any man attempt and do the contrary, and thereupon be duly convicted, That then he shall stand and be of like condition as a man attainted of felony, after the course of the common law, and shall incur like pain and forfeiture as he so attainted for the same should do. Also it is ordained by the same assent and authority, That all wools and woolfels, and fels called morling and shorling, growing or being in any country of this realm or *Wales*, or in the marches of the same, other than before excepted, to be carried out of this realm, shall be conveyed to the said staple of *Calais*, and to none other place, upon the same pain and forfeiture: The prerogative of our sovereign lord the King to grant any licence to the contrary except: this act to begin and take effect at the feast of Saint *Michael*, which shall be in the year of our lord God M,CCCC,LXXIV. And to endure by the space of five years only.

C A P. VI.

For sewers.

The lord chancellor of England may for fifteen years next grant several commissions of sewers where need requireth.
6 H. 6. c. 5.
8 H. 6. c. 3.
18 H. 6. c. 10.

ITEM, whereas in the parliament of *Henry* the Sixth, late in deed and not of right king of *England*, holden at *Westminster* the sixth year of his reign, the great damage and losses considered, which have chanced by the great rising of waters in divers parts of this realm, and more greater damage had likely come, if remedy in this behalf had not been the more speedily provided, it was ordained and enacted by the authority of the same parliament, That for ten years then next following several commissions of sewers should be made to divers persons by the chancellor of *England* for the time being, to be named in all parts of the same realm, where need should be after the form and tenor

por of a commission especified in the same act. And after in the 23 H. 6. c. 9. parliament of the same *Henry* late King holden at *Westminster* in 4 H. 7. c. 1. the eighth year of his reign, because that the commissioners named in the said commissions, had not full power nor authority to do, perform and execute things comprised in the said commissions, it was ordained, enacted and established by authority of the same parliament, That all such commissioners should have full power to make, ordain and execute statutes and ordinances and other things to be done after the effect and purport of the said commissions. And after the said x. years passed, in the parliament of the said late king *Henry*, holden at *Westminster* in the xvij. year of his reign, it was ordained enacted and established, by authority of the same parliament, That for x. years then next following several commissions of sewers should be made to divers persons by the chancellor of *England* for the time being, to be named in all parts of the said realm of *England*, where need should be, after the form and effect of the said commission, contained in the said act made the said vj. year. And that such commissioners should have power to make, ordain and execute statutes and ordinances, and other things to be done after the effect and purport of the said commissions. And after the said x. years past in the parliament of the said late king, as afore is said, holden at *Westminster* the xxij. year of his reign, it was ordained, enacted and established by authority of the same parliament, That for xv. years then next following the chancellor of *England* for the time being, should have power to make out of the chancery commissions of sewers under the great seal, in such form as was granted to be made by the said act made in the said sixth year as in the said acts more fully is contained, by which commissions in the form aforesaid, many great mischiefs done and had in divers parts of the said realm of *England* by rising of the said waters were necessarily redressed, reformed and amended. Now so it is, that now of late in divers parts of this realm of *England*, as well in the counties of *Kent* and *Sussex*, as in other places within the same realm of *England*, and also within the bounds of the marches of *Calais*, *Guynes* and *Hammes*, by rising of water, divers lands and tenements in great quantity be drowned and destroyed. And many great mischiefs be very likely within short time to fall, as well in the decrease of the sustenance and livelyhood of holy church, as of other the King's liege people of his said realm of *England*, and of the said marches, and utter undoing of them, if remedy in this behalf be not the more speedily provided. Our said sovereign lord the King, considering the premisses, by the advice and assent of the said lords spiritual and temporal, and at the request of the said commons, and by authority of the said parliament, hath ordained enacted and established, That for xv. years next ensuing several commissions of sewers shall be made to divers persons by the chancellor of *England* for the time being, to be named in all parts of this realm of *England* and of the aforesaid marches, where need is or shall be, after the form and effect of the said commission

sion contained in the said act made the said sixth year. And moreover he hath ordained and stablished by the same authority, That all such commissioners have full power to make, ordain and execute statutes and ordinances and other things to be done after the effect and purport of the same commissions.

C A P. VII.

An act for the taking away of wears and fishgarthes.

Statutes that have been made for the pulling down or reforming of wears and of the commissioners authority.

9 H. 3. stat. 1. c. 23.

1 H. 4. c. 12.

25 Ed. 3. stat. 4.

c. 4.

ITEM, *Whereas by the laudable statute of Magna Charta, amongst other things it is contained, That all kedels by Thameise and Medway, and throughout the realm of England, should be taken away, saving by the sea-banks, (2) which statute was made for the great wealth of all this land, in avoiding the straitness of all rivers, so that ships and boats might have in them their large and free passage, and also in safeguard of all the fry of fish spawned within the same; (3) upon which Magna Charta, the great sentence and apostolick curse, by a great number of bishops was pronounced against the breakers of the same, and the same sentence is four times in the year openly declared, according to the law of the holy church; (4) and in affirmance of the said statute of the Great Charter, divers statutes have been after made and ordained, amongst which, in a parliament holden in the first year of the usurped reign of king HENRY the Fourth, it was recited, That in the twenty fifth year of King EDWARD the Third, progenitor of our lord the King that now is, because that the common passages of ships and boats in the great rivers of England, were oftentimes disturbed by levying of wears, mills, millstanks, stakes, and kedels, to the great damage of the people, (5) it was ordained and established, That all such wears, mills, millstanks, stakes, and kedels, which were levied and set up*

ITEM come per le laudable estatuit de Magna Carta entre autres choses est ordeigne, qe toutz kidelx per Thameise & Medewey & per tout le roialme Dengleterreferroient oustiez, si noun per les coostez del mear. Quele estatuit fust fait pur graund bien de tout cest terre, en oustant lez streitures dez toutz rivers, ensi qe lez niefs & bateulx avraient en yceux leur fraunk & large passage, & auxi en salvation de tout frye de pesson procreez en lez mesmes. Sur quele Magna Carta graund sentence & apostolike dextcommengement per graund nombre dez evesquez encountre lez factours dicelle estoit pronuncie, & mesme la sentence quatre foitz en lan apperteneant est declarez, a la ley seinte eglise accordaunt. Et en affirmance du dit estatuit de Magna Carta diversez estatuitz depuis ount este faitz & ordeignez, entre queux en un parlement tenuz lan primer del usurpe reigne du Roy HENRI le iiiije. estoit recite, qe en lan xxve. du Roy EDWARD le tierce, progenitour nostre dit seignur le Roy qorest, pur ceo qe lez communes passagez dez niefs & bateux en lez grandes rivers Dengleterre furent si souvent foitz distourbez, par lever dez gorcez molyns, estankes, estakes & kideux, en grande damage du people; accordes fuit & establies, qe toutz tielx gorces, molyns, estankes, estakes, & kideux, queux furent

rent levez & mistez en-temps le Roy E. fitz le Roy HENRY, & depuis, en tielx rivièrs, per queux lez niefs & bateux furent distourbez, qils ne puissent passer come ils soloient, serroient oustez & nettement abatuz faunz estre relevez; & qe briefs serroient sur ceo maunde as viscountz dez lieux, ou mestier serroit, de surveier & enquerer, & de faire ent execution: et auxi qe justices serroient sur ceo assignez, as toutz les soitz qil busoigneroit; et apres ceo sur grevous compleint dez graunde & dez communes fait en le parlement du dit Roy E. le tierce, lan de son reigne xlve. compleignauntz per leur petition, qe le dit estatuit nestoit pas duement executez, ne gardes, solonge leffect dicelle, accordez fust & establiez, qe le dit estatuit en cell point serroit tenuz & gardez, solongue leffect dicelle; ajoustant a ycelle, qe si ascun tiel anusauncefeussit fait, seroit abatuz per due processe conteignuz en le dit estatuit; & celluy qe serroit relever le dit anusaunce, & de ceo soit duement atteint, encourgeroit la peyne de C. marcs, devers nostre seignur le Roy, a levers per les estreites del eschequer; et que mesme la ley serroit tenuz danusaunce fait per le enhauncer de lez ditz gorges, molyns, estankes, estakez, & kideux, come per novel leve; come en lez ditz estatuitz pluis pleinement appiert. Et lors a la requeste des ditz communes, monstrantz per leur petition, qe les communes passages dez niefs & bateux en les graunde rivièrs Dengleterre, & auxint prees & pastures & terres semez adjoignauntz as ditz rivièrs, furent graundement distourbez,

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sur-

up in the time of King Edward, son of King Henry, and after, in such rivers (whereby the ships and boats were disturbed that they could not pass as they were wont) should be taken away, and broken down, never to be set up again; (6) and that writs should be thereupon sent to the sheriff of such places where need should be, to survey and enquire, and the same to execute; (7) and that justices should be thereto assigned at all times when need requirereth. (8) ^{45 Ed. 3. c. 21} *And after grievous complaint, both of great men, and of the commons thereupon made in the parliament of the said King Edward the Third, in the five and fortieth year of his reign, shewing by their petition, that the said statute was not duly executed nor observed according to the form and effect thereof; it was accorded and established, That the same statute in that point should be holden and kept according to the tenor of the same; (9) adjoined thereto, that if any such annoyance be done, that the same be broken down by due process contained in the said statute, (10) and that he which again doth levy such annoyances, and be thereof duly attainted, shall run in the pain of an C. marks to our lord the King, to be levied by the estreats of the exchequer: (11) the same law shall be holden of annoyance made by the enhansing of the said weirs, mills, millstanks, flakes, and kedels, as by new levying, as in the said statutes more plainly appeareth. (12) And then at the request of the said commons, shewing by their petition, that the common passages of ships and boats in the great rivers of England, and also meadows and pastures, and arable lands adjoining to the said rivers, were greatly disturbed, drowned, wasted, and destroyed*
E e by

by the outrageous enhansing and straitening of wears, mills, millstanks, stakes, and kedels, made in old time, and levied before the time of the said King Edward, son to the said King Henry, whereby great loss and damage often ensued to the people of the realm, and daily would ensue, if remedy were not provided.

II. Wherefore it was ordained and enacted by the assent of the said parliament, holden the first year of the said pretended king Henry the Fourth, That the said statutes in all their articles should be observed, firmly kept, and duly executed; (2) adjoining thereto, that commissions should be made in due form to sufficient persons to be justices in every county of England, where need should be, to survey and keep the waters and great rivers there, and to correct and amend the faults, and to make due execution by the said statutes, according to the effect of the same, (3) as well by their survey, advice, and discretion, as by inquests to be taken thereof within franchise and without when need shall be, and to hear and determine all those things aforesaid; (4) and moreover to survey the wears, mills, millstanks, stakes, and kedels made in old time, and levied before the said time of King Edward, son to King Henry; and such as they find too much enhanced or straited, to correct, break down, and amend in the manner and form aforesaid.

III. Saving always a reasonable substance of the same wears, mills, millstanks, stakes, and kedels so made in old time and levied. (2) And if any such annoyances of wears, mills, millstanks, stakes, and kedels, in letting of the passages and straitening, made in old time and levied, be judged or considered by the said justices

surroundez, gastez, & destruitz per les outrageous enhaunser & estraiture dez gorcez, molyns, estankes, estakez, & kideux, auncienement faitz & levez devaunt le temps du dit Roy E. fitz au Roy HENRY, dount grandes damages & perdez sovent foitz eussent aveignuz au poeple du roialme & aviendrent de jour en autre, si remedie ne feussent ent mise.

Accordez est & establie, del assent du dit parlement tenuz lan primer du dit pretendu Roy HENRY iijte. qe lez ditz estatuitz soient en toutz lour articlez tenuz & fermement gardez, & duement executz; adjoustant a ycelle, qe commissions soient faitz en due fourme as sufficeantz personez, destre justicez en chescune countee Dengleterre ou busoigne serra, de surveier & garder lez eawez & graundez ryvers illecoquez, & lez defautez corriger & amender, & ent due execution faire, per les ditz estatuitz selonque leffect dicelles; sibien per lour surveu, advys, & discretion, come per les enquestez ent apprendrez, deins franchise & dehors, cy & quant busoigne serra, & doier & terminer les choses suisditz; & oustre ceo, de surveier les gorces, molyns, estankes, estakes & kideux, auncienement faitz & levez devaunt le dit tems du Roy E. fitz au Roy HENRY, & ceux qils trovent trop enhauncez, ou estraitiez, de les corriger, abater, & amender, en les maner & fourme desuisditz.

Sauvant toutz foitz resonable substance de les gortz, molyns, estankez, estakez, & kideux suisditz, issint auncienement faitz & levez; & si aucune tiel anusaunce des gortz, molyns

molyns, estankes, estakez, & kideux, en destourbaunce de les passagez, & estraiturez auncientment faitz & levez, soient ajuggez ou considerez per les ditz justices destre abatuz ou amendez, cestuy qi ad frank tenement dicelles ferra ent execution de les costagez deins un demy an apres notification a luy ent affaire, sur peyne de sorfature de C. marcs, a paiers a nostre seigneur le Roy per estretes en leichequer : & celluy qi les face relever, enhauncer, ou estreiter, encountre le dit jugement, & de ceo duement convicte, encourage la peyne de C. marcs a paiers a nostre seigneur le Roy per estretes en leichequer suifdit ; come-en mesmes les estatuitz pluis pleynement appiert : encountre que le Magna Carta & toutz les estatuitz avaunt ditz, en diverses parties de cest roialme Dengleterre, en destruction de pesson come avaunt dit, & en destourbaunce de les passages de les niefs, bargez, bateux, & autres vesseaulx diverses & plusours gortz, fishgarthez, molyns, milledammes, estankes de molyns, lokkes, hebbyngweres, estakes, kideux, hekkes, flodegatez, & diverses autres distourbaunce, de jour en autre sont faitz, levez, enhaunciez, & enlargetz, a graund damage nostre seigneur le Roy & de ses soialx liegez : nostre dit seigneur le Roy, les premisses graciusement consideraunt, del advys & assent des ditz seignurs espirituels & temporels & a la requeste des ditz communes en cest parlement assemblez, & per auctorite suifdit, ad ordeigne & establee, qe le dit estatuit de Magna Carta & toutz autres estatuitz les pre-

misses

justices to be broken down or amended, he that hath the freehold of the same shall do execution thereof at his own costs, within half a year after knowledge given to him, upon pain of forfeiture of an hundred marks, to be paid to our lord the King by estreats in the exchequer ; (3) and he that doth levy them again, enhance, or strait them contrary to the said judgment, and thereof be duly convicted, shall run in pain of an hundred marks, to be paid to our lord the King by estreats in the exchequer aforesaid, as in the same statutes more fully appeareth. (4) Contrary to which Great Charter, and all the statutes aforesaid, in divers parts of this realm of England, both in the destroying of the fish, as afore is said, and in disturbance of the passages of ships, barges, boats, and other vessels, by divers and many people divers fishgarths, mills, milldams, millstanks, locks, ebbing wears, flakes, kedels, becks, or floodgates, and divers other disturbances, be daily enhanced, levied, and enlarged, to the great damage of our lord the King, and of his faithful lieges : (5) our said lord the King graciously considering the premisses, by the advice and assent of the lords spiritual and temporal, and at the request of the said commons, in this parliament assembled, and by authority of the same, hath ordained and established, That the said statute of the Great Charter, and all other statutes concerning the premisses, shall be duly observed and kept ; (6) adjoining thereto, That if after the feast of St. Michael, which shall be in the year of our lord God 1475, by award, rule, or judgment of any of the said commissioners assigned, according to the said statute made

A confirmation of all statutes made for the pulling down of wears.

10 Co. 138.

The penalty of an offender that doth not perform the award of commissioners authorized by the statute of 1 H. 4. c. 12.

The penalty of him which doth continue in his offence, or doth delay to reform it.

in the said first year of King *Henry* the Fourth, it be found that any such wears, fishgarths, mills, milldams, millstanks, locks, ebbing wears, stakes, kedels, hecks, or floodgates, be made, levied, enhansed, straited, or enlarged, against the same statute, the offenders in this behalf contrary to the foresaid award, rule, and judgment, being duly warned by the sheriff or sheriffs; by *Scire facias* directed to the sheriff or sheriffs, of such county or counties where such wears, fishgarths, mills, milldams, millstanks, and other noyances, disturbances or impediments be, and within three months next after the said garnishment made, they do not duly and wholly amend, break down, and avoid the said making, levying, enhansing, straiting, or enlarging, being defective, as afore is said in the said statute made in the said first year, that then he or they, being defective in this behalf, shall forfeit to our lord the King an hundred marks, to be paid by estreats in the exchequer in manner and form as in the same statute more fully is contained.

IV. Moreover, if the said offender, or his heir or heirs, assignee or assignees, or any of them, do defer or continue the same default, contrary to the award, rule, or judgment of the commissioners aforesaid, that he or they so doing, deferring, or continuing the said default, shall forfeit for every month after the said three months ended, that the same default shall remain, and be not corrected, amended; nor reformed, an C. marks, (2) the one half thereof to our lord the King, and the other half to any of his liege

misses concernantz soient duement observez & gardez; adjoustant a ycelle que si apres la feste de Saint Michell, que sera en lan nostre seigneur Dieu M.CCCCLxxv. per agarde rule ou jugement dascuns de les ditz commissioners, accordaunt al avauntdit estatuit le dit an primer du dit Roy *HENRY* le quart fait assignez, il soit trovee, que ascuns tielx gorges, fishgarthes, molyns, milledammes, estankes de molyns, lokkes, hebbyngweres, estakes, kydeux, hekkes, ou flodeyates, sount faitz, levez, enhauncez, estreitz, ou enlarges, encoultre mesme lestaituit, les offendours en celle partie, contrarie a lavauntdit agarde rule & jugement, duement per *Scire facias* a le viscount ou viscountz dautiel countee ou countees, ou tielx gorges, fishgarthez, molyns, milledammez, & autres anusaunces, ou impedimentz, ou distourbaunces avaut reheres, serrount trovez faitz, euez enhaunces, estreites, & enlarges, direct, soient duement garnise per le dit viscount ou southviscount, & dedeinz trois mois proscheins apres le dit garnisement fait a ses propres costages & charges duement & pleynement namentend pas, ou oustent, avoident, la dit faisure, lever, enhaunser, estraiture, ou enlargement, defectif come avaut est dit en le dit estatuit en lan primer suifdit especifie; que lors celluy ou ceux en celle partie defectif forface ou forfacent a nostre seigneur le Roy pur chescune default C. marcs, per transcript ent a deliverer en le dit eschequer, en le maner & fourme come en mesme lestaituit pluis pleynement est conteignuz.

Et

Et oustier si le dit offendour, ou son heir ou heirs, assigne ou assignez, ou aucun de eux, face ou facent, differrer ou continuer mesme le default, contraire as les agardz rule & jugement des commissioners avaunt-ditz; qe celluy ou ceux ensi faisant, differant, ou continuant, le dit default, forface ou forfacent, pur chescun mois apres les dites trois mois passés, qe mesme la defaute estoit et demure nient correcte ou nient amende ou nient resourme, C. marks, lune moite ent a nostre souveraigne seigneur le Roy, & lautre moite ent a aucune de ses liegez, qi en celle partie poursuivre voit, per action de dette ent a conceiver per brieve original, sanz aucune fine ent faire ou appender, en la court de la chauncerie.

En quele action autiel processe, rule, jugement, & execution soient allowes, ewez, & faitz, come en autres actions de dette pursuez a la commune ley per brieve est usez; & qe aucun defendaunt en aucune tiel action ne soit admise de gager ou faire sa ley. Ne qe aucune protection ou essoin de service nostre souveraigne seigneur le Roy pur aucun tiel defendaunt soit en aucune maner allowe.

En en oustre ad ordeigne & establie per mesme lauctorite, qe si aucun person on personez, aitre ou autres qe tiel ou tielx encuntre quele ou quelx autiel agard rule ou jugement estoit faite & ewe, nient esteant ou esteantz heir ou assigne a ycell ou yceux, presume ou presumunt doccupier ou continuer aucuns gorcez, fishgarthez, molyns, millledammes, estankes de molyns, lokkes, hebbyngwreze, estakes, kideux, hekkez, fodeyates,

liege people which in this behalf will sue for the same, (3) by action of debt to be conceived by original writ, without fine to be made or taken for the same in the chancery.

V. In which action, like process, rule, judgment, and execution, shall be allowed, had, and made, as is used in other actions of debt pursued at the common law by writ; (2) and that the defendant in any such action be not admitted to do or wage his law, (3) nor that any protection, or essoin of the King's service be allowed for the defendant in the same writ.

VI. Moreover, it is ordained and established by the same authority, That if any person or persons, other than such a gainst whom such award, rule, or judgment were made and

The penalty of the heir or assignee of the offender that continueth the same offence.

had, being heir or assignee to them, or any of them, do presume to occupy or continue any such wears, fishgarths, mills, milldams, millstanks, locks, ebbing wears, stakes, kedels, hecks, floodgates, or other disturbances, or impediments, as afore is said, he or they so presuming to occupy or continue, shall forfeit at every default, for every month, as is afore said, an C. marks, (2) the one half to our lord the King, and the other half to him of the King's liege people that will in this behalf sue, by action of debt thereupon to be conceived, without paying any fine for the same, as is afore said; (3) in which action like process, rule, judgment, and execution shall be used and made, as in all other actions of debt pursued at the common law by writ is used; (4) and that the defendant in any such

action shall not be admitted, nor in any wise received to wage or do his law; (5) nor any manner protection or essoin of the King's service be for such defendant in any wise allowed.

flodeyates, ou autres disturbancez ou impedimentz come devaunt est dit; celluy ou ceuz ensi presumant ou presumantz d'occuper ou continuer forfait ou forscent a chescun defaulte pur chescune mois come est dit devaunt C. marcs, le moite

a nostre seigneur le Roy, & lautre moite a celluy de les lieges nostre seigneur le Roy qi en celle partie pursuer voet per action de dette sur ceo destre conceu, saunz fyn pur ceo paiant come devaunt est dit; en quele action autiel processe, rule, jugement, et execution soient usez & faitz, come en toutz autres actions de dette pursuez a la commune ley per brieve est usez: & qe aucun defendaunt en tiel action ne soit rescue ne admise en aucun manere de gager ou faire sa ley; ne qe aucun autre manere portecion ou essoin de noble service de nostre seigneur le Roy pur aucun tiel defendaunt soit aucunement allowe.

CAP. VIII.

All mayors, bailiffs, &c. shall have the searching and surveying of victual; and letters patents made to searchers and surveyors of victual shall be void.

All mayors, bailiffs, &c. shall have the searching and surveying of victual.
4 Inst. 262.

ITEM, Whereas the governors, that is to say, mayors, bailiffs, and other like governors of every city, borough, and town of substance within this realm of England, for the most part have courts of leets, and views of frankpledge, holden yearly within the same cities, boroughs, and towns, and surveying of all victuallers there, and correction and punishment of the offenders and breakers of the assize of the same, to be presented and amerced if any default be found in the said courts, or by their surveying, which by reason ought not to be contraried, nor the victuallers there by the law ought to be surcharged or oppressed; (2) as now of late divers persons daily intending their singular avail and profit to oppress the said victuallers, and to enter and break the liberty of divers places in this realm having franchises, and surveying of all victuallers, and correction of the same, have purchased

ITEM qe come lez gouvernours cestassavoir mairs, baillifs, & autres governours semblablez, de chescune citee burgh & ville de substance deinz cest roialme d'Engleterre, pur greindre partie ount courtz des letez & vieuz de frankpledge annuellement tenuz deinz mesmes les citees burghs & villes, & surveu des toutz vitailers illeosquez, & correction & punition de les enfracours & meffaisours de lassise des mesmes, a presenters & amerciars, si aucun default soit trovee en les courtz, ou per lour surveu; quele per reason ne doit estre contrariez, ne les vitailers illeosquez per la ley ne doivent mye estre surcharges ou oppresses, come ore tarde journement diverses persones entendant pur lour singular availle & profit doppresser les ditz vitailers, denterrumper diverses lieux deins cest roialme d'Engleterre

lettere eiauntz fraunchises & surveu des toutz vitailleurs & correction diceux, ount purchaces lettres patentz nostre dit souveraine seignur le Roy, destre surveours & correctours dautielx vitailleurs deinz diverses citees burghs & autres lieux de cest roialme dEngleterre come de servoise, bere, vine, & dautielx autres vitailles, per quell pretense & desloial office ils fount plusours & diverses extorsions & oppressions entre le liege poeple nostre seignur le Roy, preignauntz de ceux disloialment diverses graundes fines & raunsons, a graund damage de mesme le poeple nostre seignur le Roy, & auxi graund derogation de les libertees & fraunchises de les diverses de les avaunt ditz citees burghs & villez : nostre seignur le Roy, les premisiez considerant, per ladvsy et assent des seignurs espirituelx & temporelx & a la requeste des communes en le dit parlement assemblez, & per auctorite de mesme le parlement, ad ordeigne & establie, qe toutz les lettres patentz grauntez per luy a ascune persone ou persone dascun office du sercheance ou surveiance de vine, servoise, bere ou ascun autre vitaille, soient toutoustrament voidez & de null effect : Et qe null person, autre qe tielx gouvernours avaunt rehersez, ou autres entitlez per point de chartre, a la feste de Pasqe prochain venaunt, per colour dautielx lettres patentz ensi purfuez, ou en apres a pursuers come devaunt est dit, use ou exercise ascune tiel office sur payne de forfaiture a chescune default xl. li. lune moite ent a nostre seignur le Roy, al oeps de

chased letters patents of our sovereign lord the King, to be surveyors and correctors of all such victuallers within divers cities, boroughs, and other places of this realm of England, as of ale, beer, wine, and other such victuals, by which pretence and unlawful office they do commit divers and many extorsions and oppressions amongst the King's liege people, taking of them unlawfully divers great fines and ransoms, to the great damage of the King's liege people, and also wrongful derogation of the liberties and franchises of divers of the said cities, boroughs, and towns :

(3) our said lord the King (the premisses considering) by the advice and assent of the lords spiritual and temporal, and at the request of the said commons, in the said parliament assembled, and by authority of the same parliament, hath ordained and established, That all letters patents, granted by him to any person or persons of any office of searching or surveying of wine, ale, beer, or any other victual, shall be utterly void and of none effect.

(4) And that no person, other than such governors before rehearsed, or other intitled by point of charter, from the feast of *Easter* next coming, by colour of such letters patents so obtained, or after to be obtained, as before is said, shall use and exercise any such office, upon pain of forfeiture for every default xl. li. (5) the one half thereof to our lord the King, to be employed only to the use of his house, the other half to him that in this behalf will sue for the same by action of debt, wherein like process, rule, and proceeding shall be had, as is commonly used in

E c 4

other

All letters patents granted to any persons for searching or surveying of victuals, shall be void; and only the chief governors of cities, towns, &c. shall be appointed to search and survey the same.
23 Ed. 3. c. 6.
13 R. 2. stat. 1. c. 8.
25 H. 8. c. 2.

other actions of debt at the common law; (6) and that the defendant in any such action shall not be received nor admitted to his law; (7) nor that any protection or essoin of the King's service be to him in any wise allowed.

de son hostiell tantseulement destre appliez, lautre moite ent a celluy qen celle parte pur ceo suer voet per action de dette, en quele semblable processe rule & demeane soient ewez, sicome usuelment sont usez en autres actions de dette a la commune ley; et qe le defen-

daunt en aucune autiel action ne soit rescueuz ne admise a sa ley, ne qe aucune protection ou essoin de service nostre tressoveraigne seigneur le Roy en aucune manere soit allowez.

CAP. IX.

What lands an escheator must have: whom he may make his deputy: he shall not let his office to ferm.

Ex edit. Pult.
42 Ed. 3. c. 5.

ITEM, Whereas by an ordinance made at *Westminster* the xliij year of the reign of King *Edward* the Third, progenitor of our lord the King that now is, amongst other things it was ordained, That none should be made escheator, unless he had xx li. of land at the least, or more in fee, (2) and that they should do their offices in their proper persons, and if any other be, he shall be out: (3) which ordinance according to the true meaning thereof is not observed, to the great damage of divers people of this realm of *England*, because that many persons insufficient and of evil conscience, be yearly made escheators in divers parts of this realm of *England*, which often do set their office of escheatorship to ferm to other great men extortioners and oppressors of the people, the same escheators taking of the said persons such sum of money as betwixt them may be agreed, and surety to be discharged upon their account, and to be saved harmless against our sovereign lord the King and all other persons: (4) which persons so unlawfully taking the said office of escheatorship, by an undue manner to ferm, do enforce themselves to be extortioners and offenders to the people; (5) whereof old time by the government of the realm of *England*, escheators and their deputies should be, and ought to be good, sufficient, and well disposed persons and rightful, as well to our lord the King, as to his people: where at this day few such persons be made escheators or their deputies: (6) it is therefore ordained by authority of this present parliament, That no escheator to be made after the feast of the nativity of our Lord, which shall be in the year of our Lord God, 1473, shall take upon him the office of escheator, nor occupy the same office by himself nor by any other, unless the said escheator or other person or persons to his use, have at the time that he shall be chosen escheator, lands tenements, or rents in fee simple, fee tail, or for term of life, of the yearly value of xx. li. lying and being within the same county or counties whereof he shall be made escheator. (7) Not that any such escheator to be chosen after the said feast shall in any

No man shall be escheator unless he hath xx l. land or rent in the same county.

No escheator shall let his office to ferm,

wife

wise sell nor let to ferm the said office of escheatorship, nor make any deputy or deputies, but such for whom he will answer at his peril; (8) the name or names of the said deputy or deputies to be certified by the same escheator by his letters patents to the treasurer, and barons of the King's exchequer for the time being, within twenty days after such deputation. (9) And that no such deputy or deputies take upon him or them to occupy in the office of escheatorship, unless such escheator have lands, tenements or rents, to the aforesaid yearly value, in manner and form as is aforesaid: (10) and if any person or persons after the said feast do contrary to the premises or any of them, he shall forfeit for every default xl. li. (11) the one half thereof to our sovereign lord the King, to be employed to the use of his honourable house: the other half to every of the King's liege people, which will therefore sue by action of debt, (12) wherein like process, rule, judgment, costs and damage, shall be had and awarded, as is used in other actions of debt usually pursued by writ at the common law; (13) and that no waging of law, protection, nor essoin be in any wise allowed in the same to the defendant: (14) and the justices of peace in every place corporate, and the justices of peace in every other place having justices of peace within them, shall have power to hear and determine every such forfeiture upon presentment thereof had before them in their sessions; (15) in which presentment, like said process shall be had, as is used upon indictments of trespass done with force and arms against the King's peace. (16) Provided always, That this act do not extend to any person or persons made or to be made escheator of any city, borough, or town of this realm of *England*, having authority to make or to be escheators within themselves by the letters patents of the grant of our sovereign lord the King, or any of his noble progenitors or predecessors.

or make any deputy, but for whom he will answer.

Justices of peace may inquire of and punish the offences aforesaid.

Saving the right of cities of boroughs, &c. having authority to make escheators.

Statutes made at *Westminster*, Anno 14 EDW. IV.
and *Anno Dom.* 1474.

NOSTRE seigneur le Roy *Edward* le quart, a son parlement sommones & commences a *Westm'* le vje. jour d'Octobr' lan de son reigne xijme et per diverses prorogations a le xxij. jour de Jaynuer lan de son reigne xiiij. continues, per ladvs & assent des seignurs espirituelx & temporelx & les communes en le dit parlement le dit xxij. jour assemblez, & par auctorite de mesme

OUR lord the King, *Edward the Fourth*, at his parliament summoned and begun at *Westminster* the sixth day of October, in the twelfth year of his reign, and continued by prorogation till the three and twentieth of January in the fourteenth year of his reign, by the advice and assent of the lords spiritual and temporal, and by the commons, in the said parliament the said twenty third day assembled,

by

by authority of the same parliament willeth and granteth, and by the advice of the same bath ordained and enacted.

mesme le parlement, voet & graunte, & per ladvy's de mesme ad ordeigne & enacte.

CAP. I.

For the King's tenants going in his wars.

Ex edit. Rast.
They who holding their lands of the King shall pass with him in his service into France, shall have licence to pass their lands without fine, and to make a feoffment to the use of their wills, though it be done by collusion; and if he that is the King's tenant die in this service, his heir within age, his feoffees, and executors shall have wardship of the lands and body of the heir.

THAT all such persons, and every of them, which by the grace of God shall pass over the sea with our said sovereign lord the King in his voyage royal and noble service, and shall abide in his noble service, by their attornies or deputies or any of them, or by the attorney or deputy of any of them, shall enter and take, and may enter and take possession and profit of and in all honours, castles, manors, lands, tenements, rents, advowsons, hereditaments, and possessions, which be to them descended, or to any of them hereafter shall descend, remain, revert, or by any mean shall come after the death of any of their ancestors, or any person or persons in any other form by the course of the law of the land, during the said voyage, if any parcel be holden of our sovereign lord the King by their said entry, possessions, taking of the issues and profits of the same, without fee or fine to be paid to our sovereign lord the King for the same. And if any office be thereof found hereafter, then they and every of them to have especial liveries and livery under the great seal of our sovereign lord the King, without fee or fine to be paid for the same to our sovereign lord the King, to enter and take possession in and of the honours, castles, and all other the premisses, every person according to his right and title: and the same to have and enjoy with the issues and profits of the same of their title grown to them and every of them, without any other livery petition or pursuit of the law to be made in this behalf to our sovereign lord the King. And that during the same time of the voyage, and they abiding in the King's noble service, as afore is said, no manner process to be made in any of the counties of our sovereign lord the King against any of the said persons, for any homage, fealty or other corporal service, which may not be done but in their proper persons, for any honours, castles, seigniories, manors, lands, tenements and other hereditaments and possessions, which they or any person or persons to their use have or hereafter shall have during the said voyage, and being in the King's noble service as afore is said. But that all such process shall cease during the said voyage and service. And they and every of them so passing in the said voyage royal, as afore is said, and the feoffees to the use of every of them may have licence under the King's great seal, without fee or fine to be paid for alienations feoffments and grants of the honours, castles, manors, lands, tenements, rents, services, annuities, and other hereditaments and possessions with their appurtenances, to such persons whom them shall please: and the same persons to receive the same honours, castles and other the premisses, of what manner estate them shall please, to the intent that

that they may thereof make their will for payment of their charges and other things. And if it happen any of the said persons, which so shall pass and abide in the said voyage and service of our said sovereign lord the King as afore is said, to die during the said time and in the said service, his heir being within age, that then all manner persons, having any manner estate by way of feoffment or otherwise to the use of the same person or persons so dying, in any honours, castles and other the premisses with their appurtenances, to the use and performance of the will of the said person, which doth so decease, shall have the same without any interruption of our sovereign lord the King, or any of his officers or ministers, by reason of any office thereof to be found, although the said feoffments estate or alienation were made or had by collusion or otherwise intituling our sovereign lord the King: except such manors, lands and tenements, which any person or persons, passing or going with the King in this voyage royal as afore is said, or by the grant or gift of our redoubted sovereign lord the King in any manner: and that they and every of them having and obtaining the same manors, lands and tenements, may by the authority aforesaid make estate of the same said manors, lands and tenements in any manner parcel of the same manors, lands and tenements to other persons in fee or otherwise to their own use, in performing of their wills, as before is said. And the same estate or estates so to be made, to be good and effectual, as long as the said grants and gift thereof made or to be made by our said sovereign lord the King to them or any of them shall stand and be in their force and effect and not determined, nor revertible to our said sovereign lord the King or his noble heirs. And moreover our said sovereign lord the King hath ordained stablished and enacted, by the assent of his lords spiritual and temporal, and the commons being in the same parliament, That if it happen any of the aforesaid persons, so passing and abiding with our said sovereign lord the King in his said service and voyage royal as afore is said, to die, his heir being within age now or hereafter holding or obtaining any lands or tenements of our sovereign lord the King by knights service: his said feoffees and also his executors, shall have and enjoy the ward and marriage, with the ward of the same manors, lands, and tenements so holden, during the nonage of the same heir, to the use of the same person so dying: and with the same to perform all his will. And moreover the same our sovereign lord the King shall grant by his letters patents the ward and marriage of the same heir, and of all his manors, lands and tenements, which the King ought to have by reason of the same, to the same feoffees or executors of the same person or persons so dying, or to such of them, which for the same will sue to the use of the same person or persons so dying as afore is said, without fee or fine to the King for the same to be paid. Saved always to every person or persons, and to their heirs and successors, other than our sovereign lord the King and his heirs and executors, all their right, title, prerogative and interest which

which they have or may have in any of the premisses, as if this afore said act had never been made, except corporal service, as afore is said, which corporal service may not be done but in their proper persons as afore is said: and if any doubt or question rise or happen in any manner in the interpretations or constructions of the points or articles afore said, or any of them, then the same our sovereign lord the King will and granteth by the same authority afore said, That the lords spiritual and temporal, and other of his council, being here in his absence, shall have full power and authority to discuss and set in this case a due remedy and redress by their good discretion and advice according to the faithful intent of the same articles and points concerning the said persons so dying in the said service and voyage royal of our sovereign lord the King beyond the sea. Provided always That this said act or ordinance, or any thing comprehended or contained in the same, shall not be in any manner prejudicial nor hurtful to any of the King's liege people: but shall only be executory against our sovereign lord the King and his noble heirs.

CAP. II.

An act touching protections for such as go in the King's wars.

The same law and the same protection that was granted by the statute of 9 H. 5 c. 3. to those that were then in Normandy, or would then pass with K. Henry 5, into France, shall be observed, and avail for all such as pass over the sea with the King.

ITEM, our said sovereign lord the King remembering that it was ordained, enacted and stablished, by authority of the parliament holden at *Westminster* the second day of *May*, in the ix. year of the reign of the noble king *Henry* the V. late in deed and not of right king of this noble realm of *England*, as hereafter followeth. Item, whereas the taking of assises generally hath long ceased throughout this realm of *England*, because of a statute and ordinance made by our said sovereign lord the King, at his second passage towards the parts of *Normandy*, and by his council: our said sovereign lord considering the great diseases and damages, which divers of his liege people have had and sustained by the same ceasing, hath straightly commanded and commandeth, That his justices shall hold the assises through the realm of *England* in the manner used and accustomed. And for to eschew the disherisons of the same persons, which now be passed and shall pass in this voyage royal of the King (which God speed) and also of the persons which be abiding in the service of our sovereign lord the King in the parts of *Normandy* and of *France*, it is ordained and provided, That in every protection, with the clause of *Volumus* to be made for every of the same persons, there shall be in the clause of the exception of the same contained omission of these words, *Assisa nove disseisine*. And that all protections be allowed for them, and every of them in all the counties of our sovereign lord the King in any place where such protection is cast forth for any such person, in all the pleas of assises, as well of *no. diff.* as of fresh force, without any difficulty. Provided always, That the judgments to be given from henceforth in such assises arraigned or to be arraigned, shall not be prejudicial to any of the said persons so abiding

in the King's noble service beyond the sea, as afore is said, which hath any thing in reversion or in remainder in such lands or tenements, whereof such assises be or shall be arraigned, if they that have in reversion or remainder in such lands and tenements be not named in the same assises, but that they be against them void. And this ordinance shall endure till the parliament, which shall be next holden after the next coming again of our sovereign lord the King into this realm of *England*. And if this ordinance, touching the said persons abiding in the King's service beyond the sea, and also touching the said persons, which have passed and shall pass in the said voyage, be not sufficient for the ease and surety of them, it is accorded and assented, That the lords of the King's council for the time being, shall have full power and authority of this present parliament, to set ordain and provide sufficient remedy for the ease and surety of all the said persons and every of them, as to the said lords shall seem available and expedient in the case, after their good advice and discretion. Our sovereign lord the King will and hath ordained, enacted and established, by the advice and assent of the lords spiritual and temporal, and the commons in this present parliament assembled, and by authority of the same, That the same order and the same law comprised in the said statute and ordinance, shall be now observed and kept, and shall be as available for all manner of persons, which now shall pass over the sea with our sovereign lord the King in this voyage royal, and there shall abide in his said noble service, as they were for such persons, which did pass over the sea with the said late King, and there did abide in his noble service. And that all such persons, which now shall pass over the sea with our said sovereign lord the King, shall have and enjoy in every point all manner advantages, as the said persons so passing over the sea with the said late King had, should have and might have had by reason of the said statute. Provided always, That the said persons so passing over the sea with our said sovereign lord the King, shall have no benefit nor advantage of this present act, of any entry made by them or any of them in any manors, lands, tenements and other hereditaments after the first day of this present parliament summoned and begun at *Westminster*. This act and ordinance to endure till the next parliament, which shall be first holden after the next coming of our sovereign lord the King into *England*.

Provided also, That the said persons so passing over the sea with our said sovereign lord the King, have nor enjoy no benefit nor advantage of or by this present act, of any entry made or had after the first day of this present parliament, or to be made or had at any time hereafter by the said persons, their attorneyes or deputies, or any of them, in any manors, lands, tenements and other hereditaments, or any other manors and possessions. And this act and ordinance to endure till the parliament, which shall be first holden after the next coming again of our sovereign lord the King into his noble realm of *England*.

CAP. III.

An act for shipping of wools and fells.

An alteration
of part of the
stat. 12 Ed. 4.
c. 5. touching
the transport-
ing of wools
growing in
Cumberland,
&c. which
hereafter shall
be shipped at
Newcastle, and
from thence
conveyed to
Calais, or to
any other
place at the
King's plea-
sure.

OUR sovereign lord the King, the xxv. day of *February*, in the xiiij. year of his reign, remembering that in this present parliament he had ordained and established, by the assent of the lords spiritual and temporal and the commons assembled in the said parliament, a certain act in manner and form as followeth. Our sovereign lord the King remembring, that whereas before this time in divers statutes amongst other things it is ordained and enacted, That all manner wools and fells called morling and shorling, growing within any part of this realm of *England* or *Wales*, except wools and woolfels, called morling and shorling growing in the counties of *Westmoreland*, *Cumberland* and *Northumberland*, and of the growing of the bishoprick of *Durham*, betwixt the waters of *Tyne* and *Tees*, and of the counties of *Richmondshire* and *Northaldertonshire*, except wools to be shipped towards the west in *Gallies* or *Carracks*, to be shipped and carried out of this realm of *England*, shall be conveyed to the staple of *Calais*, and to none other place, upon pain of forfeiture of the said wools and woolfels, and fells called morling and shorling, as in the same statutes more plainly doth appear. Nevertheless, the said statutes and ordinances, notwithstanding a great multitude of the said wools and woolfels, and fells called shorling and morling growing in *Yorkshire* in the county of *Lincoln*, *Nottingham* and *Derby*, and in other counties of this realm of *England*, under the colour of exception before rehearsed in the same north parts, be carried out of this realm of *England* into *Flanders*, *Holland*, *Zealand*, *Brabant*, and other divers parts beyond the sea, whereby not only great decay was of the King's customs and subsidies, but also destroying and diminishing of the price of the said wools, woolfels, and fells called shorling and morling, growing within this realm, to the universal damage and great impoverishment of the same: our sovereign lord the King, by the advice, assent and authority afore said, hath ordained, enacted and established, That all wools, woolfels, and fells called shorling and morling, growing within this realm (other than before excepted) to be shipped and conveyed out of the realm, shall be conveyed to the staple of *Calais*, and to none other place. And that all wools, woolfels, and fells called shorling and morling, growing and being within the said counties of *Westmoreland*, *Cumberland*, and *Northumberland*, the bishoprick, *Richmond*, and *Alderton*, to be carried out of this realm, shall be shipped at *Newcastle* upon *Tyne*, only, and from thence to be conveyed to *Calais*, or to *Newmiddleburgh* in *Flanders*, there to be stapled and uttered, and at none other place. And if any man attempt and do contrary, and thereupon be duly convicted: that then he shall be of like condition, as a man attainted of any felony, after the course of the common law, and shall run in like pain and forfeiture as he that is so attainted should do.

Also

Also by the same advice and authority it is ordained, That all wools, woolfels, and fells called shorling and morling, growing or being in any county within this real-m or in *Wales*, or in the marches thereof (other than before excepted) to be carried out of this realm, shall be conveyed to the said staple of *Calais*, and to none other place, upon the same pain and forfeiture. The King's prerogative to grant any licence to the contrary excepted. This act to begin to take effect at the feast of Saint *Michael*, which shall be in the year of our Lord God, 1474, and to endure for the space of five years only, which act our sovereign lord the King will, ordaineth, and establissheth, by the assent of the lords spiritual and temporal, and the commons of this land in this present parliament assembled, to be in his full strength and effect in every point thereof. Saving only, whereas it is by the same statute ordained, That all wools, woolfels, and fells called shorling and morling, growing and being within the said counties of *Westmoreland*, *Cumberland*, *Northumberland*, the bishoprick, *Richmondshire*, and *Northaldertonshire*, to be carried out of this realm, shall be shipped at *Newcastle* upon *Tyne* only, and there to be conveyed to *Calais*, or to *New Middleburgh* in *Flanders*, there to be stapled and uttered, and at none other place. The said act for so much shall be void. And that in the stead of those words, it shall be as hereafter followeth. It is ordained by the same authority, That all wools, woolfels, and fells called shorling and morling, growing and being within the said counties of *Westmoreland*, *Cumberland*, *Northumberland*, the bishoprick of *Richmondshire*, and *Northaldertonshire*, to be carried out of this realm, shall be shipped at *Newcastle* upon *Tyne* only, and from thence to be carried to *Calais*, or to the town of *Berwick* in *Brabant*, or to any other certain place at the King's pleasure to be named, there to be stapled and uttered, and at none other place. Also it is ordained by the assent and authority aforesaid, That in case where our sovereign lord the King ordaineth, that the said wools and woolfels, called shorling and morling, of the growing of the counties and bishoprick aforesaid, to be stapled in any other place beyond the sea than at *Calais* or *Berwick* aforesaid, that then the place so to be named by the King, shall be certified and published by open proclamation in the said counties of *York*, *Northumberland*, *Cumberland*, *Westmoreland*, the Bishoprick of *Durham*, and the town of *Newcastle*. And that every of the subjects of our sovereign lord the King, after such proclamations made, and after three months after the said proclamation passed, shall be bound to have and carry the said wools and woolfels to the said places, to be named by our sovereign lord the King, and expressed in the said proclamation, upon the pain before limited.

CAP. IV.

A confirmation of statutes made against the breakers of truce, &c.

15 H. 6. c. 3.
18 H. 6. c. 3.
20 H. 6. c. 1.
31 H. 6. c. 4.

A confirma-
tion of all sta-
tutes not re-
pealed, made
against the
breakers of
truces,
leagues, safe-
conducts and
licences.

This confir-
mation doth
not extend to
the statute of
5 H. 5. stat. 1.
c. 6.

ITEM, *whereas divers and great offences and attempts have now of late been done and committed against the amities and leagues made betwixt our said sovereign lord the King, and strange princes, against the safe-conducts and licences of our said sovereign lord the King, and against the laws and statutes heretofore made for the punishment of such offenders in that behalf, to the great slander of our said sovereign lord the King, and the general hindrance of all this realm of Eng-*land; (2) the King therefore, by advice and assent of the lords spiritual and temporal, and the commons, in this parliament assembled, and by authority of the same parliament, hath ordained, established, and enacted, That all statutes and ordinances made before the fourth day of *March*, in the first year of his reign, by authority of any parliament, not repealed, against the offenders and breakers of amities, truces, leagues and safe-conducts afore said, be and shall be in their full force and effect: (3) and that every of the same statutes and ordinances be put in due execution in all things before the judge or judges, person or persons ordained by the same statutes or ordinances, or any of them, according to the tenors and effects of every the same statutes and ordinances; any grant or confirmation by act of parliament or otherwise, use, or custom, made, had, or used to the contrary notwithstanding; (4) provided always, That this

ITEM pur ceo qe plusieurs & grandes offenses & attemptedes ount ore tarde este commys & perpetres encountre les amisties & les lieges faitz entre nostre dit souveraign seigneur le Roy & princes estrangez, & encountre les sauf-conduits & licences nostre dit souveraign seigneur le Roy, & encountre les leies & estatuitz per devaunt fait pur le punishment des tielx offendours en celle partie, a grand desclaundre nostre dit souveraign seigneur le Roy & universal damage de tout cest royaume dEngleterre; le Roy pur ceo del advys & assent de les seignurs espirituelx & temporelx & communes en ceste parlement assemblez, & per lauctorite de mesme le parlement, ad ordeigne enacte & establie, qe toutz estatuitz & ordeignaunces devaunt le quart jour de *Marche* en lan primer de son reigne faitz per auctorite dascun parlement nient repellez, encountre les rumpours ou offendours des amistees, triewes, lieges, & saufconduitz avaunt-ditz, estoient & soient en pleyne force & effect: & qe chescune des mesmes les estatuitz & ordeignaunces soit mise en due execution en toutz choses, devaunt le juge ou juges, persone ou persones, ordeignes per mesmes les estatuitz ou ordeignaunces, ou ascun de eux, accordaunt as les tenours & effectz de chescune mesmes les estatuitz & ordeignaunces; ascun graunt ou confirmation per act du parlement, ou autrement, use, ou custume, fait,

ewe

ewe, ou ufez, al contrarie nient contristeaunt. Purveu toutz foitz, qe cest act nextend pas al ascun act ou ordeignaunce fait pur la punition dautielx offendours en lan second de Henry quint nadgairs en fait & nient de droit Roy dEngleterre.

this act extend not to any act or ordinance made for the punishment of any such offenders in the second year of King Henry the Fifth, late in deed, and not of right, king of England.

Statutes made at *Westminster*, Anno 17 EDW. IV.
and *Anno Dom.* 1477.

NOstre seigneur le Roy Edward puis la conquest quart a son parlement tenuz a Westm' le xvj. jour de Januar' lan de son reigne dis & septisme, al honour de Dieu & pur la bien de luy & de son roialme, del advys & assent des seignurs espirituelx & temporelx & al instance & requeste des communes en le dit parlement assemblez & per auctorite de mesme le parlement, ad fait ordeigner & establier diverses ordeignaunces & estatuitz en la fourme qensuist.

OUR lord King Edward the Fourth after the conquest, at his parliament holden at Westminster the sixteenth day of January, in the seventeenth year of his reign, to the honour of God, and the wealib of him and his realm, by the advice and assent of his lords spiritual and temporal, and at the suit and request of his commons, in this present parliament assembled, and by authority of the same parliament, hath made to be ordained and established divers ordinances and statutes in form following.

CAP. I.

An act concerning money.

FIRST, whereas in a statute made the ix. year of King Edward the Third, noble progenitor to our sovereign lord the King that now is, it was ordained, That no false money counterfeit to the sterling, should be brought into this realm, upon pain of forfeiture of the same money. Saving that all manner of people of every realm might bring to the exchange as bullion, all manner good money of silver, of whatsoever value it were, and there to receive covenable exchange. And whereas in the second year of the pretended reign of king Henry the Fourth, for the great deceit which then was in the money of gold and silver in *Flanders* and *Scotland*, which commonly did run, and payments made in divers parts of this realm of *England*, to the great damage of our sovereign lord the King, and his people, amongst other it was ordained, That all the money of gold and silver of the coin of *Flanders*, and of all other lands and countries beyond the sea, and of *Scotland*, should be voided out of the realm of *England*, or put to the coin or bullion within the same realm, before the feast of *Cbristmas* then next following, upon pain of forfeiture of the same, which ordinances

Ex edit. Rast. No Irish money shall run in payment in England or Wales, upon pain of forfeiture thereof. It shall be felony to carry out of England or Wales any coin of this realm, or any plate, bullion, jewels of gold or silver, without the King's licence (except prisoners ransoms, soldiers money, &c.)

No person shall melt any money of gold or silver sufficient to run in payment, upon pain of forfeiture of the value thereof. All things wrought of silver to be sold, shall be as fine as the sterling, and shall be marked with the leopard's head, and the workman's mark. All merchants aliens shall employ the money received for their merchandises upon the commodities of this realm. Made perpetual by 3 H. 7. c. 8. and afterwards continued for twenty years by 7 Ed. 6. c. 6.
 9 Ed. 3. ff. 2.
 2 H. 4. c. 6.
 3 H. 7. c. 8.
 4 H. 4. c. 15.
 27 H. 6. c. 3.

were made because that the same money expended and suffered to run in payment within this realm were deceitful. And now so it is, that of late, and at these days counterfeit and false money of such countries alloyed, as groats and pence made in *Ireland*, in part like to groats, half groats, and pence, of this realm, in such a great multitude be daily brought into this realm out of *Ireland* and other places, and put in payments in this realm, which if it should long endure, it should not only destroy the good money of this realm, but also should cause the good money of silver of this realm made within the same, to be translated and turned into the said false and counterfeit money made in *Ireland* and other places. And also should cause a great part of the plate of silver to be carried out of the realm, and to be coined with the said false and counterfeit money: wherefore by the assent, request, and authority aforesaid, it is ordained, That after the feast of *Easter* next coming, none of the same money of *Ireland* shall run in payment within this realm, *Wales*, *Calais*, or the marches of the same, nor that no person after the said feast put any of the same monies, nor the same receive in any payment within this realm, *Wales*, *Calais*, or the marches of the same, or any part of the same, upon pain of forfeiture of the same money so put or received for or in payment. The same money so forfeit to be seized by any of the King's liege people, and in three parts to be divided, whereof one part so forfeit shall be applied to the use of the King's house, another part thereof to him or them which shall find and prove the same forfeiture before any justices of peace of any county within this realm, where any such forfeiture shall happen, or before the mayors, bailiffs, sheriffs, or other chief governors of city, borough, or town corporate, or within any of the five ports within this realm of *England*, or at *Calais*, before the treasurer and comptroller there, if like forfeiture fall or happen, and all the residue of the same forfeiture shall be to the mayor, bailiff, or other chief governor of the city, borough, or town corporate, or any of the five ports where such forfeiture shall be found, to be applied to the use of the same city, borough, town or port, to such of them which have any forfeitures by any lawful grant or authority of the said parliament of our sovereign lord the King. And if they have no manner such forfeiture, then the same third part residue shall be applied to them which have such forfeiture within the same city, borough, or town corporate, or any of the said five ports by like authority or otherwise. And the whole forfeiture to be found and proved at *Calais*, or at the marches of the same, shall be only to our sovereign lord the King. And if such forfeiture happen to be found and proved, in any other town or village not corporate, the same residue of the said forfeiture shall be to the chief lord of the fee of the same town, to be applied to the use of the same lord. And if variance do fall betwixt any finder, affirming against any other person such forfeiture to be, so that the same money forfeit may not be seized without action by the said finder to be sued, That then the same finder, if he will

will pursue and prove the said forfeiture, or in his default any other person who will sue and prove such forfeiture, he shall be thereto received, and have an action of debt in this behalf, or at the common law at his election, or otherwise before the justices of peace of the county, out of the city or town corporate where such forfeiture shall happen. And if it happen in city, borough, or town corporate, then before the mayor, sheriff, or bailiffs, or other chief governor there, by bill or bills in this behalf, in which action of debt to be pursued at the common law, like process, judgment, and execution shall be, as is used in other actions of debt there to be pursued. And in such bill or bills to be pursued before the justices of peace, or before any of the said mayor, sheriff, or bailiffs or other chief governors aforesaid, the process before appearance shall be had by attachment by the body infinite. And after judgment by *Fieri facias*, *Capias ad satisfaciendum*, or *Elegit*, at the election of the pursuer in this behalf. The pursuer which so doth recover, to retain his part aforesaid of the said forfeiture pertaining to him in his own hands to his own use. And the part pertaining to the King, to be delivered to the sheriff or sheriffs, bailiff or bailiffs, in the King's exchequer, to be accountable of such county or place corporate, where such recovery shall be had by writing indented in this behalf to be made, to be employed to the use of our sovereign lord the King as is aforesaid. And the residue of the said forfeitures recovered, to be delivered to any of the said mayors, sheriffs, bailiffs, or other chief governors corporate, as afore is said, to be applied in the manner and form before specified. And if any such forfeitures be found and proved in any town or village not corporate, the same to be delivered to the said lord of the fee, to be applied to his use. And whereas by the statute made in the second year of the pretended reign of the late king *Henry* the Sixth, it was ordained amongst other, That no gold nor silver should be carried out of this realm, upon pain of forfeiture of the value of the same, and that he which espieth the same, and thereof giveth knowledge to the council or treasurer of *England*, should have the fourth part of such forfeiture (ransom and fine of the *English* prisoners taken beyond the sea, and the money which soldiers shall carry with them for their reasonable costs, with other things in the same statute comprised, excepted) contrary to which statute and ordinance, and divers other ordinances touching the same, before this made, the money of gold and silver and vessel, and plate of gold and silver of this land, as merchandises is carried and sent out of this realm, as well by the denizens as aliens, to the great impoverishing of this realm, and final destruction of the treasure of the same realm, if hasty remedy be not provided: it is ordained and established by the authority aforesaid, That no person from the feast of *Easter*, shall carry nor do to be carried out of this realm or *Wales* any manner money of coin of this realm, nor of the coin of other realms, lands, or feignories, nor no plate, vessel, mass, bullion, nor jewels of gold wrought or unwrought, or of silver,

17 R. 2. c. 1.

silver, without the King's licence: except such persons as be dispensed within the foresaid statute made the second year of King *Henry* the Sixth, and in other divers statutes, upon pain of felony, and to be adjudged and reputed as a felon. The same felony to be heard and determined in like manner and form, and before such person or persons, as other felonies be commonly heard and determined within this realm. And whereas in the statute made in the ninth year of King *Edward* the Third, amongst other things it was ordained, That the sterling halfpenny or farthing should not be molten for vessel nor none other thing by goldsmith or other, upon pain of forfeiture of the money molten. And that the goldsmith or other that so doth melt, shall be commanded to prison, there to remain till he hath yielded to the King the one half of that he hath so molten, notwithstanding any charter or franchise granted to the contrary, which statute was confirmed by King *Richard* the Second, in his parliament holden the xvii. year of his reign. And then amongst other it was ordained, That no groat nor half groat should be molten by no person for vessel, nor other thing thereof to be made, upon the pain aforesaid: contrary to which statutes the said monies of silver and monies of gold of this realm, by goldsmiths and other persons are daily molten for vessel and other things thereof to be made; so that by the same cause and by the said carrying of money of this realm, and by the great quantity of gold beaten for imagery and such like, and by the wasting of gold in gilding in divers manners by goldsmiths, cutlers, and other artificers, the money of this realm is greatly diminished, to the universal damage of this realm: therefore it is ordained by the said authority, That no goldsmith nor other person from the said feast of *Easter*, shall melt or beat within this realm, *Wales*, *Calais*, or the marches of the same, any money, of gold or silver not broken, sufficient to run in payment, nor by any occasion of sensuality to minish, bow or break the money of this realm, able to run in payment, for to make any vessel or other thing thereof, nor to gild any thing with the same; nor that any goldsmith or other person within this realm, *Wales*, *Calais* or the marches of the same, from the said feast of *Easter*, shall gild any manner of vessel, bason, pots, cups, nuts, or saltcellars of silver, (ornaments of churches, stuff for knights made or to be made, and apparel necessary to be gilt for every such person dispensed by the statute of array, made in the third year of the reign of our sovereign lord the King that now is, and in the ordinance of apparel made in this present parliament excepted,) upon pain to forfeit the double value of the money so molten, or voluntarily bowed or broken, or to the value of the vessel, bason, pots, cups, nuts, or saltcellars of silver, or other thing gilt, or the thing in which any such gilding shall be, (except before excepted.) The third part of every such forfeiture to be applied to the use of the King's honourable house: the other part thereof to the use of him or them which shall find and prove the same forfeiture in the manner as afore is said in the

article

article of money of *Ireland*. The residue of the said forfeiture to be to the mayor, sheriffs, bailiffs, or other chief governors of the city, borough, or town corporate, or any of the five ports where such forfeiture shall be found and proved, to be applied to the use of the same city, borough, town or port. And that the whole forfeiture be found and proved at *Calais* or the marches of the same, to be only to our sovereign lord the King. And if any such forfeiture happen to be found and proved in any town or village not corporate, the same residue shall be to the chief lord of the fee of the same town or village to be applied to the use of the same lord. The finder of the same forfeiture, if he will pursue and prove the same, or in his default any other person which will pursue or prove such forfeiture, shall be thereto received, and have in this behalf an action of debt or at the common law at his election, or before the justices of peace of the same county out of the city or town corporate, where such forfeiture shall happen. And if it happen in city, borough, or town corporate, then before the mayor, sheriff or sheriffs, bailiff or bailiffs, or other chief governor there, by bill or bills in this party, in which action of debt, and in the said bill and bills to be pursued, like disposition, demean, behaviour, receiving, judgment and execution in this part shall be had, according as in the aforesaid article concerning money of *Ireland* is contained, any charter, grant, corporation or act made to the contrary notwithstanding. And whereas in the parliament holden the second year, of the usurped reign of *Henry* the Sixth, late in deed and not of right King of *England*, amongst other it was ordained, that no goldsmith nor worker of silver within the city of *London*, should sell any thing wrought of silver, unless it be as fine as the sterling, except that that needeth folder, in the making, which shall be allowed according as the folder shall be necessary to be wrought in the same. And that no goldsmith nor jeweller, nor other man that worketh harness of silver, shall put any of the same to sale in the same city, before it be touched with the touch of the leopard's head, that which may reasonably bear the same touch. And also with the mark or sign of the worker of the same, upon pain of forfeiture of the double. And that the mark or sign of every goldsmith shall be committed to the wardens of the same mystery. And if it may be found, that the keeper of the touch aforesaid, do touch any such harness with the leopard's head, which is not as fine in allay as the sterling, that then the keeper of the touch for every thing so proved not so good in allay as the sterling, shall forfeit the double value to our sovereign lord the King and to the party, which statute is daily-broken by the goldsmiths and other workers of silver, inhabiting as well in the city of *London* as elsewhere within this realm and *Wales*, and our sovereign lord the King in effect nothing answered of any forfeiture comprised in the same statute, albeit that the King's liege people daily buying things wrought by the said goldsmiths or workers as fine gold or fine silver, supposing it to be the same, when in deed it is not so, be grievously deceived, because that the said touch of

the leopard's head is oftentimes set to such things by the said keeper of the said touch of *London* and other places, as though the thing were fine and not defective. And oftentimes the sign of the worker of the same is not set thereto according to the statute aforesaid, nor the action given in the same statute is no perfect remedy to the persons grieved in this behalf. It is ordained by authority of this present parliament, for the better execution of the said statute, and for to eschew the deceit daily done by the said goldsmiths and workers of gold and silver in the said city of *London* and elsewhere, within this realm and *Wales*, that no goldsmith nor other worker of gold and silver, or either of the same metals, from the said feast of *Easter*, shall work, sell, or set to sale, any manner base gold under the fineness of xviii. carats otherwise called crates, nor no silver unless it be as fine as the sterling. Except such thing as required solder in making of the same, which shall be allowed according to the solder necessary to the making of the same, upon pain of forfeiture of the double value of any such gold or silver wrought or sold to the contrary. Nor that no goldsmith, jeweller, nor other worker of harness of silver, shall set no harness of silver plate, nor jewel of silver to sell, from the said feast of *Easter*, within the said city of *London*, or within two miles of *London*, before it be touched with a touch of the leopard's head crowned, such as may bear the same touch, and also with a mark or sign of the worker of the same so wrought within the city of *London* or two miles of the same, upon pain of forfeiture of the double value of any such silver wrought and sold to the contrary. And that the mark or sign of every goldsmith be committed to the wardens of the same mystery. And if it may be found, that the said keeper of the touch of the leopard's head crowned, aforesaid, do mark or touch any such harness with the leopard's head, if it be not as fine in alloy as the sterling, then the said keeper of the said touch, for every thing proved not of as good alloy as the sterling, shall forfeit the double value: the same forfeitures to be divided in two parts, the one half to be applied to the use of the King's house, and the other half thereof to the party grieved or hurt, in this behalf; or in his default, any other person which will pursue and prove such forfeiture, shall be thereto received, and have in this behalf an action of debt, or at the common law at his election, or before the justices of peace of the county out of the city or town corporate where such forfeiture shall happen, to pursue as well for the King as for himself. And if it happen in city, borough, or town corporate, then before the mayor, sheriff or sheriffs, bailiff or bailiffs, or other chief governor there by bill or bills in this party. In which action of debt, and in the bill and bills to be pursued, like disposition, demeanour, behaviour, judgment and execution in this party shall be had, according as in the said article concerning the money of *Ireland* is comprised, any charter, grant, corporation, or act, made to the contrary notwithstanding. And because there be divers goldsmiths and other workers of gold and silver, aliens and strangers inhabiting in the city of *London*, and other places nigh there about, working, their works in secret places, and privileged

leged, and eloin the same, and will not be searched by the said wardens of the said goldsmiths of *London* for the time being, nor will not be obedient and governed by them: therefore it is hereby ordained, That from the said feast of *Easter*, every such alien and stranger goldsmith and worker of gold and silver inhabiting or to inhabit in the said city of *London*, and other places within two miles of the same city, shall be obedient and ruled by the said wardens of the said goldsmiths, in all things lawful and reasonable, and suffer the stuff of gold and silver by them wrought to be searched and marked after the rule of the said city, upon pain to be punished in manner and form as goldsmiths and workers of gold and silver of *England*, inhabiting within the said city, by the rules of the said craft of goldsmiths ought to be ruled. So always that the said aliens and strangers be not evil entreated, nor otherwise charged by any manner imposition, other than the said *English* goldsmiths be, shall be, and ought to be. And for the better surveying of the said aliens and strangers in time to come to be had, it is ordained by the authority aforesaid, That the same aliens and strangers, goldsmiths and workers of gold and silver, inhabiting within the said city and every of them, from the feast of Saint *Michael* the archangel next coming, shall inhabit them in the open streets of the said city, and where better and more open shewing is of their craft. And it is ordained by the said authority, That if the aforesaid keeper of the said touch, or worker of harness or other thing of gold or silver not made of the said fineness, do touch or mark the same harness or other thing as fine and able, that then for non-sufficiency of the said keeper and worker, the persons of the said craft of goldsmiths of the said city of *London*, by whatsoever name or names they be corporate, shall be chargeable and charged of the forfeitures by like action or actions of debt as is aforesaid in like manner and form as immediately before is specified. And whereas in the fifth year of the pretended reign of king *Henry* the Fourth, for the better keeping of gold and silver within this realm, and for the utterance of the commodities of the same realm, it was ordained amongst other, That the merchant strangers and aliens should sell their merchandises brought, within a quarter of a year after their coming into the same, and that the money received in this realm should be employed upon the commodities of this land upon pain of forfeiture of the same money. Contrary to which ordinance, the same merchants and many other persons do convey and carry daily the same money by them received out of the realm, to the great diminishing of the same money, and do not employ the same in substance upon the commodities of this realm, whereby the King's custom and subsidy be greatly decayed. It is therefore ordained by the authority aforesaid, That every merchant alien, and every victualler and other stranger not being denizen, which shall resort into any place or port of this realm or *Wales* after the said feast of *Easter*, shall duly employ all the money to be received by him within any part of

the same realm or *Wales*, upon the merchandises or other commodities of this realm, or without any fraud he shall put the same in due payment to the King's liege people within this realm. The same employment or payment duly to be proved by the merchant alien, victualler, or other stranger, before his departing out of the same port, by writing to such merchant or merchants, to whom the said merchant alien, victualler, or other stranger hath employed or paid his money by him received for his merchandises brought into this land, witnessing that he hath so done or by such proofs as shall seem reasonable to the customor or comptroller of the same port and mayor, bailiff, or other chief governor of any such city, borough, or town, where such port shall be, upon pain of forfeiture of all his goods being within this realm, and to have one year's imprisonment. Saving always to every such merchant, victualler and stranger, his reasonable costs by the oversight of the said chief governor of the port or place where such merchant, victualler, or stranger shall arrive. The same forfeiture to be demeaned, judged, and departed, in like manner and form by like actions, process, and execution, as is limited of other forfeitures in this act before declared. And because that many forfeitures touching the aforesaid statutes made before this time have fallen before the said feast of *Easter*, and by likelihood will more fall by persons not doubting to offend and break the law, which persons ought by reason to be punished in discouraging of other hereafter to offend. It is ordained by the authority aforesaid, That the justices of peace of each county, or other place where justices of peace are, shall have power to hear and determine all manner defaults and forfeitures touching every of the premises had or done before the feast of *Easter*, next ensuing, to be had and done against the form of any statute before this time thereof made. The same forfeitures and every of them to be judged, demeaned, and departed in like manner and form by like action process and execution as before is limited, and declared of and for the said forfeitures before rehearsed in this present act and ordinance. Provided always, That this act extend not to any ambassador or other stranger come or to come into this realm, or to pass out of the same by the King's licence, as for any money of gold and silver, plate, or vessel, or jewel, or any ornament of silver or gold concerning his person, brought by him into this realm; or to any ambassador of the King, herald, pursuivant, or messenger, which shall pass out of this realm beyond the sea, by the King's licence, or to any merchant going over the sea to buy any wine to be brought into this realm, as for to carry with him only a little cup called a Taster for wine. Provided also, That this act extend not to any of the inhabitants, denizens, or strangers, to come or go to and fro the town of *Calais*, or the marches of the same, nor to the dwellers and sojourners of the same: for any money by them or any of them to be conveyed or carried to any places or country out of the said town and marches,

other than the money of this realm, or money of other countries carried out of this realm. And to the intent that due notice may be hereof had to the King's liege people in this part, letters of proclamation under the King's seal upon this ordinance shall be made to every county of this realm and other places necessary in all good haste. This ordinance to endure from the said feast of *Easter*, till the end of seven years then next following. Provided also, That this act, as for the part of any forfeiture contained in the same, which may pertain to the King, shall not extend to give him any such part of such forfeiture to be had or made within the principality of *Wales*, the duchy of *Cornwall*, nor the earldom and counties palatines of *Chester* and *Flint*, nor any of them. Also it is ordained by the authority aforesaid, That the noble and excellent prince *Edward*, the King's first-begotten son, prince of *Wales*, duke of *Cornwall*, and earl of *Chester*, shall have, perceive, and enjoy, and to his heirs, princes of *Wales*, dukes of *Cornwall*, and earls of *Chester*, being the first-begotten sons of the King of *England*, all and every such part of forfeitures, which shall be made or forfeit within the said principality, duchy, earldom, counties palatines, or any parcel of any of them, in as ample and large form as the King ought or may have such part of forfeiture in any other place by reason of any act made in this parliament, any act made or to be made in this present parliament, to the contrary notwithstanding. Provided also, That this act for the division and partition of any forfeiture therein contained, shall not extend to or for any forfeiture to be had or made within the liberties or franchises of *William*, bishop of *Durham*. And it is ordained by the said authority, That *William*, bishop of *Durham*, and his successors bishops of *Durham*, shall have all such partitions and forfeitures, which shall happen within the said liberties and franchises, in as ample and large form as the King should or ought to have in any other place by force of this act. Provided always, That this act nor none other act or statute made or to be made in this present parliament, shall extend to be prejudicial or hurtful to the abbot of the monastery of *St. Peter of Westminster* for the time being, nor to any person for the time dwelling, resident, or being within the same monastery, or within any place pertaining to the same monastery, or within any place within the precinct fee or franchise of the said abbot, or of the said convent, or to any of the rights, privileges, liberties, franchises, immunities, or other thing granted by the King or any of his progenitors, predecessors, or possessors of the royal estate and crown of *England*, to the abbot and convent of the said monastery and their successors jointly or severally, in any manner granted heretofore pertaining. Provided also, That the abbot of the said monastery, and convent of the said monastery and their successors, shall have, hold, and enjoy freely and effectually, all the said rights, liberties, privileges, franchises, immunities, and all other things in the form aforesaid to them granted, by whatsoever name or names they be named or

or called jointly or severally in any letters or writing thereupon made, any act or ordinance made or to be made in other manner or thing contrary notwithstanding. Provided always, That this act nor none other act, ordinance, or statute made or to be made in this parliament, shall be in any wise prejudicial or hurtful to the dean for the time being, of the King's free chapel of *St. Martin's le Grand*, in *London*, nor to the dean and chapter for the time being, of the same chapel, nor to any person or persons for the time dwelling, residing, or being within the same chapel, or within any place or places within the precinct, fee, or franchise of the said dean or dean and chapter. Not to any of the said rights, privileges, liberties, franchises, immunities or other things by the King or any of his progenitors, predecessors, or possessors of the royal estate and crown of *England*, to the dean and chapter of the said chapel, and their successors jointly or severally, in any manner granted, or in any manner heretofore pertaining. And also provided, That the dean of the said chapel, and dean and chapter of the said chapel, have, hold, and enjoy, entirely, freely, and effectually, all the rights, privileges, liberties, franchises, immunities, and all other things in form aforesaid, to them granted by whatsoever name or names they be named or called jointly or severally in any letters or writing thereupon made, any act, ordinance or statute made or to be made in any other manner or thing contrary notwithstanding.

CAP. II.

For the courts of pipowders.

In a court of pipowders the plaintiff shall be sworn that the contract was made in the time and jurisdiction of the same fair.

ITEM, *Whereas divers fairs be holden and kept in this realm, some by prescription allowed before justices in eyre, and some by the grant of our lord the King that now is, and some by the grant of his progenitors and predecessors; (2) and to every of the same fairs is of right pertaining court of pipowders, to minister in the same due justice in this behalf; (3) in which court it hath been all times accustomed, that every person coming to the said fairs, should have lawful remedy of all manner of contracts, trespasses, covenants, debts, and other deeds made or done within any of the same fairs, during the time of the same fair, and within the jurisdiction of the same, and to be tried by merchants being of the same fair; (4) which courts at this*

ITEM *que come diverses feires sont tenuz & gardez en cest roialme, aucuns per prescription allowez devaunt justices en eire, & aucuns per graunt nostre seigneur le Roy qorest, & aucuns per graunt des nobles progenitours & predeceffours: Et a aucun ou chescune des mesmes les feires est de droit apperteignaunt un court de peepowders, a ministrer en cep due justice en celle partie, en quele court il y ad toutz jours este accoustume, que chescune persone venaunt as tielx feires arroit loial remedie des toutz maners contraites, trespasses, covenants, dettes, & autres fetes ou autrement faits ou commys deins aucuns de les mesmes feires durant le temps mesme le feir, & deins la*

la jurisdiction del mesme, & deſtre tries per marchauntz eſteantz al meſme la feire; queles courtes es ceſts jours ſount miſuſes per ſeneſchallz ſouth ſeneſchallz bailliffs commiſſaries & autres miniſtrez teignauntz & governauntz les ditz courtes des ditz feires, pur leur ſingular profit tenauntz plee per plaintes, ſibien des contractes dettes treſpaſſes & autres fetes faitz & commiſe hors le temps des ditz feirs ou la jurisdiction del meſme, dount en verite ils ount nulle jurisdiction, ſurmettauntz les contractes dettes treſpaſſes covenantz & autres fetes eſtre faitz deins le temps des feires, ou deinz la jurisdiction de les meſmes feires, lou en verite ils enſi ne ſeuſſent; et aſcuns ſoitz ſur plainez ſeintes per ymagination de malvais diſpoſes poeples a troubler ceux as queux ils portent male voluntée, a celle entent qils arroient pur lucre favourables enqueſtes des venantz as ditz feires lou ils preignout leurs actions, & perount pluſours venantz as ditz feires ſount grevouſement vexes & troubles per actions ſeintes & auxi per actions des dettes treſpaſſes fetes & contractes faitz & commys hors del temps des ditz feires, ou jurisdictions del meſme, contraire equite & bon conſcience, perount les ſeignurs des ditz feires perdent grandes profites per noun venue des diverſes marchauntz a leur feires, qi pur celle cauſe ceux abſteinnout, & auxi les communes pur celle cauſe ſount pire ſerves de tiel ſtuff & marchaundise quelles autrement viendront as ditz feires: Nostre dit ſeignur le Roy, les premisses conſideres

this day be miſuſed by ſtewards, under-ſtewards, bailiffs, commiſſioners, and other miniſters holding and governing the ſaid courts of the ſaid fairs, for their private profit, holding pleas by plaints, as well of contracts, debts, treſpaſſes, and other ſeats done and committed out of the time of the ſaid fairs, or the jurisdiction of the ſame, whereof of truth they have no jurisdiction, ſurmizing the ſame debts, treſpaſſes, covenants, or other deeds, to be done within the time of the fairs, or within the jurisdiction of the ſame fairs, where of truth they were not ſo; (5) and ſometime by the device of evil diſpoſed people ſeveral ſuits be feigned, and trouble them to whom they bear evil will, to the intent that they for lucre may have favourable inqueſts of thoſe that come to the ſaid fairs, where they take their actions. (6) And whereas divers perſons coming to the ſame fairs, be grievouſly vexed and troubled by feigned actions, and alſo by actions of debt, treſpaſſes, deeds, and contracts made and committed out of the time of the ſaid fair, or the jurisdiction of the ſame, contrary to equity and good conſcience, (7) whereby the lords of the ſame fairs do loſe great profit by the not coming of divers merchants to their fairs, which by this occaſion do abſtain, and alſo the commons be unſerved of ſuch ſtuff and merchandise which otherwiſe would come to the ſame fairs. (8) Our ſaid lord the King conſidering the premisses, by the advice and aſſent of the lords ſpiritual and temporal, and at the request of the commons, in the ſaid parliament aſſembled, and by the authority of the ſame, hath ordained and eſta bliſhed, That from the firſt day of May next enſuing,
no

Bro. jurisdiction, 219.
4 Inst. 272.

no steward, under-steward, bailiff, nor commissary, nor other minister of any such courts of pipowders, shall hold pleas upon any action at the suit of any person or persons, unless the plaintiff or plaintiffs, or his or their attorney, in the presence of the defendant or defendants, do swear upon the holy Evangelists, upon the declaration that the contract or other deed contained in the said declaration, was made or committed within the fair, and within the time of the said fair where he taketh his action, and within the jurisdiction and bounds of the same fair. (9) And although that the plaintiff or plaintiffs by their oath do affirm the same, yet nevertheless the said defendant or defendants shall not be concluded by the same, but may answer and plead to the action, or in abatement of the pleas, and to profer an issue that the same contract, trespass, or other deed contained in such declaration, whereupon the plaintiff or plaintiffs do declare, was not committed nor done within the time of the fair, and jurisdiction of the same, but out of the time of the fair, or at other places out of the jurisdiction of the same fair, according to the truth in this behalf. (10) And if it be so tried, or that the plaintiff or plaintiffs, or their attorneys, do refuse to take the oaths in the form aforesaid, that then the defendant or defendants shall be quite dismissed and discharged in that behalf out of the same court, the party plaintiff to take his remedy at common law, or other place convenient, as shall to him seem good,

fidere, del advyce & assent des ditz seignurs espirituelx & temporelx & a la requeste des communes en le dit parlement assemblees, & per l'auctorite del mesme, ad ordeigne & establie, qe al primer jour del May prochein veignaut nulle seneschall, south seneschall, bailiff, commissarie, ne autre ministre dautiels courtes de pipowdres, teigne plee sur aucune action al suite d'aucune persone ou persones, sinon ou le pleintif ou pleintifs ou son attourney en presence del defendaut ou defendautz face serement sur le seint Evangelie, sur la declaration qe le contract trespasse ou autre seet conteignuz en mesme la declaration fust fait ou commise deins la seire temps del dit seire louchelluy preigne sa action & dedeins les boundes & jurisdiction de mesme la seire; et mesqe le dit pleintif ou pleintifs per lour serement afferme le mesme: ne purquant qe le dit defendaut ou defendautz ne soit ou soient concludez per ceo, mes que ceux poient repounder, & pleder al action, ou en abatement des pleintes, & de tender issue, qe mesme le contract trespasse ou autre seet conteignuz en tiel declaration, sur quoy le pleintif ou pleintifs declare ou declarent, ne fust commise ne fait dedeins le temps de la seire & jurisdiction del dit seire, mes hors le temps de la seire, ou as autres lieux hors de la jurisdiction de mesme la seire, selonque la verite en celle partie: Et sil soit ensi tries, ou qe le pleintif ou pleintifs refuse ou refusent, ou lour attourneys, de faire les serements en fourme avaunt ditz; qe donques le defendaut

fendaunt ou defendaunts soit ou soient quietes dismisses & discharged en celle partie hors dicell court, le partie pleintif de prendre son avantage a la commune ley ou autre lieu convenient, come luy semble bon, cest ordeignaunce nient contristeant. Et qe chescune seneschall, south-seneschall, bailiff, commissarie, ou autre ministre teignant, rulant, ou gouvernaut, ascuns des ditz courts, qi face le contrarie du cest ordeignaunce, foracera pur chescune default en celle partie C s. lune moite ent a nostre seignur le Roy, & lautre moite ent a celluy qi en celle partie pursuera sa action sur cest ordeignaunce per action de dette en son propre noun. Et qe briefs de proclamation soient en tout bon haste directs a chescune viscont de chescune countee d'Engleterre de faire cest ordeignaunce estre proclaymes en chescune seire deinz son countee, sibien deinz fraunchise come dehors : cest act den- durer a le primer jour de May avaunt dit tanque al primer jour de parlement qe proscheinement ensuera. Purveu toutz soit, qe cest act, ne null chose comprise en mesme lacte, soit damageous ou prejudiciale a William ore evesqe de Durham ne ses successeurs deinz les liberte & fraunchise del eveschie de Durham.

good, notwithstanding this ordinance. (11) And that every steward, under-steward, bailiff, and commissary, or other minister, holding, ruling, or governing any of the said courts, that doth the contrary of this ordinance, shall forfeit for every default in this behalf, an hundred shillings, the one half to be to our lord the King, and the other half to him that will in this behalf pursue his action upon this ordinance, by action of debt in his own name. (12) And that writs of proclamation be in all good haste directed to every sheriff of every county of *England*, to cause this ordinance to be proclaimed in every fair within his county, as well within franchise as without. (13) This act to endure from the said first day of *May*, until the first day of the next parliament. (14) Provided always, That this act, nor any thing comprized in the same act, be hurtful or prejudicial to *William* now bishop of *Durham*, or to his successors, within the liberty and franchise of the bishoprick of *Durham*.

The penalty of a steward proceeding in a court of powers, if the plaintiff hath not deposited, that the contract, &c. was made in the time and jurisdiction of the fair.

Made perpetual by 1 R. 3. c. 6.

CAP. III.

Against unlawful games.

ITEM, whereas by the laws of this land no person should use any unlawful games, as dice, coits, tennis, and such like games, but that every person strong and able of body should use his bow, because that the defence of this land was much by archers, contrary to which laws the games aforesaid and many new imagined games, called closh, kailes, half-bowl, hand in and hand out, and queckboard be daily used in divers parts of this land, as well by persons of good reputation, as of small having : and such evil disposed persons that doubt not to offend God in not observing their holy days, nor in breaking

No person shall use any of the games called Closh, Half-bowl, Kayles, Hand in hand, or Queckboard, upon pain of two years imprisonment, and forfeiture of x. li. And

whosoever shall suffer any person to play at any of the said games in his house, or other place, shall be three years imprisoned, and forfeit xx. li. Rep. 33 H. 8. c. 9.
 12 R. 2. c. 6.
 11 H. 4. c. 4.

ing the laws of the lands to their own impoverishment, and by their ungracious procurement and encouraging, do bring other to such games, till they be utterly undone and impoverished of their goods, to the pernicious example of divers of the King's liege people, if such unprofitable games should be suffered long to continue, because that by the mean thereof divers and many murders, robberies, and other heinous felonies be oftentimes committed and done in divers parts of this realm, to the great inquieting and trouble of many good and well-disposed persons, and the importune loss of their goods, which plays in their said offences be daily supported and favoured by the governors and occupiers of divers houses, tenements, gardens, and other places, where they use and occupy their said ungracious and incommendable games: Our sovereign lord the King in consideration of the premises, by the advice of the lords spiritual and temporal, and the commons in the said parliament assembled, and by the authority of the same hath ordained, that after the feast of *Easter* next coming, no person, governor nor occupier of any house, tenement, garden, or other place within this realm, shall willingly suffer any person to occupy or play any of the said games called cloth, kailes, half-bowl, hand in and hand out, or queckboard, or any of them, within any of their said houses, tenements, gardens, or any other place, upon pain to have the imprisonment of three years, and to forfeit and lose for every offence, xx. li. The one half thereof of our sovereign lord the King, to be applied to the use of his house, in all such places where such forfeiture shall happen to fall, other than where any person ought to have the forfeiture of the goods of felons and fugitives, by any lawful grant authority of parliament, or otherwise. And it is ordained by the said authority, That all such persons, their heirs and successors, which ought to have any such forfeitures in any such places, shall have all such half as shall be hereafter forfeit by any of the premises: and the other half thereof to him or them that in this behalf will pursue by action of debt at the common law: In which action, like process, trial, judgment, costs, damages, and execution, shall be had as is used in other actions there pursued. And that no person from the said feast of *Easter*, shall use any of the said games called cloth, half bowl, kailes, hand in or hand out, or queckboard, upon pain of two years imprisonment, and to forfeit for every default, ten pounds. The one half thereof to our sovereign lord the King, to be applied to the use of his house, in all places where such forfeiture shall happen to fall, other than where any person ought to have the forfeiture of the goods of felons and fugitives, by any lawful grant, authority of parliament, or otherwise. And it is ordained by the said authority, That all such persons, their heirs and successors, which ought to have any such forfeitures in such places, shall have all such half that shall be hereafter forfeit by any of the premises: And the other half thereof to him or them that

in

in this behalf will sue by action of debt in like manner and form to be had, tried, ruled, and ordered as is afore said.

C A P. IV.

An act for making of tile.

ITEM pur ceo qe es diverses parties du cest roialme grandes damages ount estece, & de jour en autre sount, & per semblance en temps aveignir greivours accrefcer voillent, pur default de veraie sefonable & sufficient sasure whityng & anelyng de tewle appellees pleintile, auterment nosmez thaktile, rostile, ou crestile, cornertile, & guttertile, fait & affaire deinz cest roialme : Nostre seignur le Roy, les premisses consideres, pur universal bien de son dit roialme, ad per ladvyz & assent des seignurs espirituelx & temporelx & a la requeste des communes en le dit parlement assemblez, & per auctorite de mesme, ordeigne & establie, qe toutz & chescune persone ou personnes, qi en apres usera l'occupation de sasure dascun tiel teule come est desuis especifies, le face bone sefonable, & able bien sufficiement & tout oustrement blanches & aneles, & qe la terre de quele ascune tiel teule serra fait soit foiez & gistes devaunt le primer jour de Novembr' profchein devaunt qe ceo serra fait, & qe mesme la terre soit steres & turnes devaunt le primer jour de Fevever adonques profchein ensuant les ditz foiance & gistance, & nient overes devaunt le primer jour de Marche adonques profchein ensuant : Et qe la dit terre, devaunt qil soit mise al sasure de teule, soit verament overez & tries de peers ; et auxi qe les veines

ap-

ITEM, *Whereas in divers parts of this realm great damage hath been, and daily is, and by likelihood in time to come will much increase, for default of true, seasonable and sufficient making, whiting, and anealing of tile, called plain tile, otherwise called thaktile, roof-tile, or cres-tile, corner-tile, and gutter-tile, made and to be made within this realm :* (2) Our lord the King (the premisses considered) for the general profit of this realm, by the advice of the lords spiritual and temporal, and at the request of the commons, in the said parliament assembled, and by the authority of the same, hath ordained and established, That all and every person or persons, which hereafter shall use the occupation of making of any such tile as before is said, shall make it good, seasonable, able, and sufficient, and well whited and anealed. (3) And that the earth whereof any such tile shall be made, shall be digged and cast up before the first day of November next before that they shall be made, and that the same earth be stirred and turned before the first day of February then next following the same digging and casting up, and not wrought before the first day of March next following ; and that the same earth before it be put to making of tile, be truly wrought and tried from stones ; (4) and also that the veins called malm or marle, and chalk, lying commonly in the ground

The preparation of earth for the making of tiles, and the several lengths, breadths, and thickness of them.

near

near to the land convenient to make tile, after the digging of the said earth whereof any such tile shall be made, shall be well lawfully and truly severed and cast from the earth whereof any such tile shall be made.

(5) And that every such plain tile so to be made, shall contain in length ten inches and half, and in breadth six inches and a quarter of an inch, and in thickness half an inch and half a quarter at the least. (6)

And that every such roof-tile or cres-tile so to be made, shall contain in length thirteen inches, and the thickness of half an inch and half a quarter at the least, with convenient deepness according. (7) And that every gutter-tile and cover-tile to be made, shall contain in length ten inches and an half, with convenient thickness, breadth, and deepness according. (8) And if any person

The forfeiture of the offender that selleth defective tiles.

or persons set to sale to any person or persons any such tile above specified, made or to be made contrary to the said ordinance, then the seller thereof shall forfeit to the buyer of the same the double value of the same tile, and besides that, shall make fine and ransom to the King at his will. (9) And that every person that seeleth himself grieved, and will sue in this behalf, shall have an action of debt against the offenders, wherein shall be made and had like process, recovery and execution, as is or may be at this day in any other actions of debt pursued at the common law. (10) And that the plaintiff in every such action (if it be found with him) may recover against the defendant in the same action his reasonable costs

appelles malm ou marl & chalke, gisantz communement en la terre bien pres a la terre convenient de faire teule ent, en ou apres la foiaunce de la dit terre dount aucun tiel teule ferra fait ou affaire, soit bien loialment & verament desseveres & gistes de la dit terre dount aucun tiel teule ferra fait ou affaire; et que chescune tiel pleyne teule ensi affaire conteigne en longueur dys pous & dimy, & en laieure vj pous & un quarter dun pous, et en densite di. pous & di. quarter dun pous au meyns: Et que chescune tiel rosule ou creste-teule ensi affaire conteigne en longieur xij. pous & en densite di. pous & un quarter ou meyns, ovesque convenient profundesse accordant; et que chescune guttertilte affaire conteigne en longier x. pous & di. pous ovesque convenient densite, et profundesse accordant. Et si aucune persone ou personnes mette a vender au aucun persone ou personnes aucune tiel teule come desuis especifiez encountre la dit ordeignauce fait ou affaire; adonqs le vendour ent forface a lachatour del mesme le double value de mesme le teule, et oustre ceo face syn & raunson a Roy a sa volunte; et que chescune persone qi se sente greve, & suer voet en celle partie, ait action, de dette encountre lofsendour en celle partie, & aiet semblables processses recovere & execution en ceo, come est ou poiet estre a cest jour en aucuns autres actions de dette pursuers a la commune ley; et que le pleintif en chescune tiel action, fil soit trove ovesque luy, poiet recoverer encountre le defendaunt en mesme l'action ses selon-

resonables costes & expences de sa suite : et qe le defendaunt en aucun tiel action ne soit admise de gager sa ley, ou d'avoir aucun esloin ne protection allowe, ne aucun avantage per fourchier per esloin distresse : Et auxi qe les justices de peas pur le temps esteantz deins chescune countie de cest roialme, & chescune de eux, aiet pleyne poair denquerer oier & terminer per leur discretions, sibien per examination ou autrement, les defautes offenses & trespassees qe aviendront a faire encountrere cest ordeignauce, sibien a la suite du Roy come a la suite de partie qi en apres se sentera greves en celle. Et si il soit trove, ou poiet apparer as les ditz justices de peas, ou aucun de eux, per examination ou autrement per leur discretion, qe aucun persone ou persones ad ou ont offendu ou offenduz contrarie a cest ordeignauce ; qe lors mesmes les justices, devaunt queux il serra trove ou appiergera, assellent et met nulle fine meinz sur l'offendour en cell partie qe pur chescune mille de plein teule mise a vende contrarie a cest ordeignauce, v. s. & chescune cent rooftile vj. s. viij. d. Et pur chescune cent cornertile ou guttertile ij. s. venduz contrarie a cest ordeignauce : Et si meins soit ensy mis a vende ou vendus contrarie a cest ordeignauce, meindre fine soit pur ceo fait, solonque la rate dicelle, par la discretion des ditz justices ou aucun deux. Et qe les justices aient pleyne poair de faire venir devaunt eux ou aucun de eux as aucuns temps & lieu requisitez tielx & tantz personnes come per leur discre-

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tion

costs and expences of his suit. (11) And, that any defendant in any such action shall not be admitted to wage his law, (12) or to have any esloin or protection allowed, nor any advantage by fourching of esloin or distress. (13) And also that Justices of the peace may inquire of, hear, and determine these offences, them, shall have power to inquire, hear, and determine by their discretions, as well by examination or otherwise, the defaults, offences, and trespasses which shall happen to be committed contrary to this ordinance, as well at the King's suit, as at the party's which shall feel himself grieved in that behalf. (12) And if it be found, or may appear to the justices of peace, or any of them, by examination or otherwise, by their discretion, that any person or persons hath offended contrary to this ordinance, that then the same justices, before whom it shall be found or appear, shall assess upon the offender in this behalf no less fine than for every M. of plain tile set to sale contrary to this ordinance, v. s. and for every C. roof-tile, vi. s. viij. d. and for every C. corner-tile or gutter-tile, ii. s. sold contrary to this ordinance ; and if less be sold, that less fine be made after the rate of the same by the discretion of the said justices, or any of them. (15) And that the same justices shall have full power to call before them, or any of them, at any time and place requisite, such and so many persons as by their discretion have or shall have best experience or knowledge in the occupation

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of

of making of tile, to search and examine the digging, casting, turning, parting, making, whiting, and anealing afore said, (16) and that the same person or persons; which so shall be assigned searchers, shall have full power to make search; (17) and that no person put no such tile to sale before that it be searched by the said searchers, upon pain of forfeiture of the same tile. (18) And if the same searchers, or any of them, do find that any person or persons, exercising the occupation of tile-making, doth offend contrary to this ordinance, that then the same searchers shall present such defaults before the justices of peace at their next sessions; (19) and that every such presentment be as strong and effectual in the law, as the presentment of twelve men. (20) And that such searchers so to be ordained, assigned, and deputed, shall have of every such tile-maker, for his labour of the said search, for every M. plain tile searched, i. d. for every C. roof-tile, ob. and for every C. corner-tile and gutter-tile, a q. (21) And that the same searchers shall do and execute their effectual industry and diligence in this behalf according to this ordinance, upon pain of forfeiture to our lord the King, for every default in this behalf x. s. (22) And that the justices of peace shall have power to examine, inquire, and determine the faults of such searchers in the premisses, in like form as above is ordained for the defaults of tile-makers. This ordinance to begin to take effect at the feast of St.

tion ount & averount greindre experience ou cognisaunce en loccupation de fisure de teule, de sercher & examiner la foiance, gistance, turnance, departure, fefour, blancheour, & anelynge avaunt ditz. Et qe mesme le persone ou persones qi ou quels ensy serra ou serrount assigne ou assignez sercheours, aient pley n poair de faire tiel serche; et qe null persone met null tiel teule a vende, devaunt qil soit serche per les ditz sercheours, sur peyne de forfaiture de mesme le teule. Et si les ditz sercheours, ou aucun de eux, trouve ou trouvent, qe aucune persone ou persones, exerçant ou exerçant loccupation del faisure de teule, offense ou offendent en ycelle, contrarie a cest ordonnance; qe lors mesmes les sercheours presentent tielx defautez devaunt les justices de peas a lour prochein sessions, et qe chescune tiel presentement soit si fort & effectuel en a ley come presentement de xij. hommes, & qe tielx sercheours ensi estre ordeignez assignez & deputez aient de chescune tiel faiseur de teule pur lour labour de le dit serche, pur chescune mille pleintile serchez, i. d. de chescune cent rooftile, di. dernier, & chescune cent corner-tile & guttertile le serling. Et qe mesmes les sercheours facent & executent lour effectuel devoir & diligence en ceste partie, accordant a cest ordeignauce, sur payne de forfaiture a nostre seigneur le Roy pur chescune defaute en cell partie x. s. Et qe les justices de peas aient poair dexaminer enquerer & determiner les defautez des tielx

Sub M. & R. 273

The searchers authority, and fee for their pains.

Justices of the peace shall inquire of the defaults of searchers. An act was made to prevent abuses in making bricks. 15 Geo. 1. c. 35. but it was

Mi-

tielx sercheours en lez pre- *Michael* next coming, and not repealed by
misses, en semblable fourme before. 2 Geo. 2. c. 13.
comes desuis est ordeignez pur
les defautez le les failours de teule. Cest ordeignauce a com-
mencer de prendre effect a la feste de seint Michell profchein
viegnaut & rien devaunt.

CAP. V.

*An alteration of part of the statute of 4 Ed. 4. c. 1. for
sealing of cloths.*

ITEM, whereas by an act made in the parliament of our *Exedit. Pult.*
said lord the King, holden at *Westminster* in the fourth year
of his reign, it was ordained, established and enacted amongst
other things, That all woolen cloths, half cloths, streits and
kerseys, of a certain length and breadth specified in the same
act, (2) and being of all perfectness of making, also comprised
in the same act, should be, from the feast called *St. Peter ad
vincula*, which was in the year of our Lord God 1465, sealed
with a double print in lead, to be devised and ordained by the
treasurer of *England* for the time being, testifying the true length
and breadth, and lawful making. (3) Also by the same act
it was ordained, amongst other things that the treasurer of
England for the time being, should have power and authority
to make such and as many keepers of the same seals, as he shall
think necessary; so that no strangers born should be made any
of the same keepers: (4) And that every of the said keepers so
to be made, shall yearly accompt of the revenues of their said
offices in the King's exchequer before the treasurer of *England*
and the barons there for the time being, shewing in the same
accounts the number of all the cloths, half-cloths, streits and
kerseys sealed by them, with the names of the owners thereof;
(5) Every of the said keepers to be rewarded yearly at his said
account for his labour and diligence had in this behalf, at the
receipt of the said exchequer, by the discretion of the said trea-
surer and barons, without payment of any thing in the said exche-
quer for the making of his said account, as in the said act there-
of made is more largely contained: (6) The King certainly *Woolen
cloths, half
cloths, &c.
shall be sealed
with wax at
both ends,
notwithstand-
ing the stat.
of 4 Ed. 4. c. 1.
Repealed,
5 & 6 Ed. 6.
c. 6.*
perceiving, that sithence the making of the same act, he hath
had yearly greater loss by the approvment of the subsidy and aul-
nage of cloths, than he had at any time before the said act of ap-
provment made; (7) for the same and for divers other great causes
moving him, by the assent of the lords spiritual and temporal,
and the commons in this present parliament assembled, and by
authority of the same parliament hath ordained, established, and
enacted, That from the feast of *Easter* next coming, all the wool-
en cloths, half cloths, streits, and kerseys, being of good and
perfect making, of length and breadth according to the form of
the said act, made in the said fourth year, shall be sealed with
wax at both ends, taking no more for the same both seals, than
before was taken for the sealing of an whole cloth, half-cloth,
streit, or kersey: (8) Except only, that in the city of *London*,

The treasurer of England may let the aulnage to ferm upon good surety.

17 R. 2. c. 5.

1 H. 4. c. 13.

4 H. 4. c. 24.

31 H. 6. c. 5.

11 W. 3. c. 20.

and the town of *Bristol*, all the cloths that ought to be sealed, shall be sealed with lead, as hath been there accustomed. (9) Moreover, it is ordained, enacted, and established by the authority aforesaid, That the treasurer of *England* for the time being, shall have power and authority to let to ferm, the subsidy and aulnage of cloths which ought to be sealed, unto persons willing to have the same to ferm by sufficient surety in the form as was used and done before the said statute made in the said fourth year; (10) the fermors to have the one half of the forfeiture of all the cloths and pieces of cloths to be set to sale, not sealed with the said seals, to their own use, paying therefore and for the said subsidy and aulnage to our lord the King at his exchequer, such yearly sums of money as shall be agreed betwixt the treasurer of *England* and them, and to be accomptants to the King of the other half of the said forfeiture at the said exchequer, the said statute made in the said fourth year notwithstanding.

CAP. VI.

How long the old sheriff may execute his office, if he have not before his writ of discharge.

11 Ed. 4. c. 1.

23 H. 6. c. 8.

Every old sheriff may execute his office during Michaelmas and Hillary term, if he hath not before his writ of discharge.
Dy. 355.

ITEM, whereas by a statute in the last parliament holden at *Westminster* it was ordained, That the old sheriff of every county might execute and return every writ, precept or warrant, in any of the King's courts within the term called *Michael* term, after the vi day of *November*, and before any writ of discharge to him delivered of his occupying of sheriff, without hurt, loss or penalty, by the same statute remembered, as in the same doth more largely appear: (2) And because that the words of the authority given by the said act to the said old sheriff, be very especial, and not general enough for the common wealth, purposed or intended by the same act: (3) It is therefore ordained by authority of this parliament, That every old sheriff of every county, remembered in the said last act, from the sixth day of *November* next to come, shall have full authority and power, as well lawfully to execute and return every writ, precept, or warrant, from every of the said courts of the King, delivered to him, as to do and execute every other thing, which to the office of sheriff lawfully pertaineth, at all times during the terms of *St. Michael*, and of *St. Hillary*, unless before the same time he be lawfully discharged of his occupation of sheriff, without sustaining any damage, forfeiture, or pain in respect thereof: Any act, ordinance, or provision before made to the contrary in any wise notwithstanding.

CAP. VII.

A repeal of the parliament holden the ix year of King Edward IV. and the xlix of King Henry VI.

Ex edit. Rast.
A repeal of a parliament holden anno

ITEM, whereas in the most dolorous absence of our sovereign lord the King out of this his realm, being in the parts of *Holland*, and before his victorious regrefs into the same realm, in
a pre-

a pretended parliament unlawfully and by usurped power summoned by the rebel and enemy to our sovereign lord the King, *Henry* the sixth, late in deed and not of right king of *England*, holden in the palace of *Westminster* the xxvj. day of *November*, the ninth year of our sovereign lord the King, that now is, under the coloured title of the said *Henry*, the xlix. year of the inchoation of his pretended reign, and the first year of the readoption of his usurped power and estate, divers and many matters were treated, communed, and wrought, to the destruction and disherison of our sovereign lord the King, and of his blood royal, by the labour and exhortation of persons not fearing God, nor willing to be under the rule of any earthly prince, but inclined of sensual appetite to have the whole governance and rule of this realm under their power and domination, which communications, treaties, and workings do remain in writing, and some exemplified, whereby many inconveniencies may ensue to our said sovereign lord the King, and his blood royal, which God defend, and all noblemen attending at this time about the King, and all his other liege people and subjects, unless due remedy be provided in this behalf: Our said sovereign lord the King, by the assent of the lords spiritual and temporal, and at the request of the commons in the said parliament assembled, and by authority of the same, for the surety of his noble person, his noble issue, and the inheritable succession of the same, and for the surety of all the lords, noblemen, and other his servants and subjects, hath ordained and stablished, That the said pretended parliament, within all the continuances and circumstances depending upon the same, be void and of none effect. And that all acts, statutes, ordinances, treats, communications, conventions, and workings in the said pretended parliament, treated, communed, accorded, wrought, had, or by the authority of the same parliament enacted and ordained, and all exemplifications made upon the same, or any part of them, and every of them, shall be reversed, cancelled, void, undone, revoked, repealed, and of no force nor effect.

Statutes made at *Westminster*, Anno 22 Edw. IV.
and *Anno Dom.* 1482.

NOSTRE seigneur le Roy
Edward le quart a son
parlement tenuz a *Westm'* le
vintisme jour de *Januar'* lan de
son reigne vintisme second, al
honour de Dieu & pur la
bien de son poeple cestuy son
roialme, del advys & assent dez
sei-

OUR lord the King, *Ed-*
ward the Fourth, at his
parliament holden at *Westmin-*
ster the twentieth day of *January*,
in the two and twentieth year of
his reign, to the honour of God,
and for the wealth of his people of
this his realm, by the advice and
assent

affent of the lords ſpiritual and temporal, and at the requeſt of his commons, in the ſaid parliament aſſembled, and by the authority of the ſame parliament, both ordained and eſtabliſhed certain ſtatutes and ordinances in the manner and form following.

ſeignurs eſpirituelx & temporelx & a la requeſte de ſes communes en le dit parlement aſſemblez, & per auctorite de meſme le parlement ad ordeigne & eſtablie certains eſtautitz & ordeignaunce en la fourme quenſuit.

C A P. I.

An all concerning apparel.

Ex edit. Raſt. Apparel.

A repeal of all former ſtatutes made touching the exceſs of apparel. What kind of apparel tempo-ral men of every degree and eſtate are allowed, and what prohibited to wear.

None under the eſtate of a lord (except certain perſons particularly named) ſhall wear any gown or mantle, unleſs it be of ſuch length, that (he being upright) it ſhall cover his privy members and buttocks. The forfeitures of the offenders, and who ſhall have them.

Rep. 1. H. 8. c. 14. & 1 Jac. 1. c. 25.

FIRST, becauſe that our ſovereign lord the King hath received by a petition made to him by his commons, that divers ſtatutes and ordinances touching the reſtraint of exceſſive apparel of the people of his realm, were ordained and made, and that for the non due execution of the ſame ſtatutes, his ſaid realm was fallen into great miſery and poverty, and like to fall into more greater, unleſs the better remedy be provided: whereupon our ſaid ſovereign lord the King, by the advice, aſſent and authority aforeſaid, hath ordained and ſtabliſhed, That no manner perſon, of what eſtate, degree or condition that he be, ſhall wear any cloths of gold or ſilk of purple colour, but only the King, the Queen, the King's mother, the King's children, his brother and ſiſters, upon pain of forfeiture for every default, xx. li. And that none under the eſtate of a duke, ſhall wear any cloth of gold of tiſſue, upon pain of forfeiture for every default xx. marks. And that none under the eſtate of a lord, ſhall wear plain cloth of gold, upon pain to forfeit for every default x. marks. And that none under the degree of a knight, ſhall wear any velvet in their doublets nor gowns. Nor none under the ſame degrees wear any damask or ſatten in their gowns, but only eſquires for the King's body, upon pain to forfeit for every default xl. s. And that no yeoman of the crown, nor none other ſhall under the degree of an eſquire or gentleman, wear in their doublets damask or ſatten, nor gowns of chamlet, upon pain to forfeit for every default forty ſhillings. And that none under the eſtate of a lord, wear any manner of woollen cloth made out of this realm of *England, Ireland, Wales and Calais*, nor wear any furs of ſables, upon pain to forfeit for every default ten pound. And alſo it is ordained and ſtabliſhed by the ſaid authority, That no ſervant of huſbandry nor common labourer, nor ſervant to any artificer out of city or borough, ſhall wear in their cloathing any cloth, whereof the broad yard ſhall paſs the price of two ſhillings. Nor that any of the ſaid ſervants or labourers, ſhall ſuffer their wives to wear any cloathing of higher price than is before limited to their huſbands. Nor they ſhall not ſuffer their wives to wear any reile called a kerchief, whole price exceedeth twenty pence. Nor none of the ſaid ſervants or labourers, ſhall wear any hoſen, whereof the pair ſhall paſs eighteen pence, upon pain to forfeit for every default three ſhillings four pence. Moreover, it is ordained, That the juſtices

justices of peace in every county, mayors, sheriffs, bailiffs, masters, and other chief officers of cities, boroughs, towns of the five ports, and other corporate towns within this realm, shall have power and authority to inquire, hear and determine all the said defaults and forfeitures and every of them, to be made and had within their several jurisdictions, as well by enquiry as by due examination, and the matters and causes concerning the said offences and forfeitures to determine by like process and judgment, and in like manner and form before attainder in this behalf, as is before the justices of peace commonly used of trespass done with force and arms against the King's peace, and after the attainder like execution. And if any matter touching any of the offences be removed of any of the said justices of peace, mayor, or any other officers before named, to be had before the King in his bench, that then the justices to the pleas before them to be holden, assigned, shall have power to award like process and like execution in this behalf, as before is limited. And it is ordained by the said authority, That all the said pains and forfeitures, except such pains and forfeitures in and for the premisses, which shall happen to be and grow within the county palatine of *Chester*, *Examshire*, and the bishoprick of *Durham*, shall be to the King, to be employed to the expences of his honourable house. And that such pains and forfeitures in and for the premisses within the said county palatine of *Chester*, shall be to my lord the prince. And such pains and forfeitures in and for the premisses within *Examshire*, shall be to the archbishop of *York* and to his successors. And such pains and forfeitures in and for the premisses within the said bishoprick of *Durham*, shall be to the bishop of *Durham* and his successors. Provided always, That this act extend not, nor be prejudicial to or for any woman, excepted the wives and servants of labourers. Also it is ordained by the authority aforesaid, That all ordinances and statutes before this time made of array and apparel, shall be by the authority of this present parliament void and of none effect nor force. And that this act begin and take effect after the feast of the *Epiphany* next coming, and not before. And it is ordained and enacted by the authority aforesaid, That no manner person, under the estate of a lord, shall wear from the said feast any gown or mantle, unless it be of such length, that he being upright, it shall cover his privy members and buttocks, upon pain to forfeit to our sovereign lord the King at every default, twenty shillings. And like examination, process and judgment shall be therein had, as in the premisses is ordained. Provided always, That this present act for apparel, shall not be prejudicial to the liberty in wearing of cloth and furr, purple and cloth of gold only excepted, of Sir *Thomas Montgomery*, Sir *Thomas Burgh*, Sir *Thomas Vaughan*, Sir *John Don*, Sir *William Parr*, Sir *Thomas Deseit Legier*, Sir *Thomas Bourchier*, Sir *Thomas Gray*, nor of master *Oliver* the King's secretary, nor any of them. And provided also, That the same act be not prejudicial to master *John Guntherp*, dean of the King's

chapel. Nor to Sir *John Elrington*, treaſurer of the King's houſe, nor to any of them, as before.

CAP. II.

An act for packing of barrelled fiſh.

The contents of veſſels of ſalmon, herrings, and eels, and how fiſh ſhall be packed.

13 Ed. 1.
ſtat. 1. c. 47.

Packing of ſalmons, and the content of the veſſel thereof.

11 H. 7. c. 23.

ITEM, *Whereas divers de-
ceits have been uſed and done,
as well in the meaſures of veſſels
called butts, barrels and half bar-
rels ordained for ſalmon, and bar-
rels, half barrels, and firkins or-
dained for herring, eels, and other
barrelled fiſh, as in the packing in
the ſame veſſels of every of the
ſaid fiſhes before named, to the
great damage of the King, the
lords ſpiritual and temporal, and
other of the King's faithful ſub-
jects :* (2) for reformation
whereof our ſaid ſovereign lord
the King, by the advice, aſſent,
and authority aforeſaid, hath
ordained and enacted, That
no merchant ſtranger nor den-
izen, after the feaſt of Saint
Michael next coming, ſhall ſell
nor ſet to ſale any ſalmon by
butt, barrel, half barrel, or any
other veſſel, before it be ſeen,
except the ſame butt do hold
and contain fourſcore and four
gallons, the barrel two and
forty gallons, the half barrel
one and twenty gallons, well
and truly packed, upon pain of
forfeiture for every butt, barrel,
and half barrel ſo failing their
ſaid meaſure, ſix ſhillings and
eight pence : (3) alſo that no
ſuch merchant being under the
King's obedience, after the ſaid
feſt of St. *Michael*, ſhall ſell or
put to ſale any manner ſalmon
by butt or other veſſel, except
it be well and faithfully packed,
that is to ſay, the great ſalmon
by it ſelf, without mingling
with them any grills or broken
belled ſalmon. And that all
ſmall

ITEM *qe come diverſes def-
ceits ount eſte uſes & faitz,
ſibien en les meſures des veſ-
ſeaulx appellees buttes, barelles,
& dimy barelles, ordeignes
pur ſalmon, & barelles dymy
barelles & ſirdekyns ordeignes
pur harang, anguillez, peſſon
barelles, come en pakkure es
les meſmes veſſeaux de cheſ-
cune de les peſſons avaunt noſ-
mes, a grand damage du Roy,
les ſeignurs eſpirituelx & tem-
porelx, & autres ſoialx ſubgiets
du Roy : pur reformation de
quele noſtre dit ſovereigne ſeig-
neur le Roy, del advys aſſent &
auctorite deſuiſditz, ad ordeig-
nez et enactez, qe nulle mar-
chaunt, eſtraunge ne denizein,
apres la feſte de ſeint Michell
proſchein veignaunt vende no
mette a vend aſcun ſalmon,
per butte, barrelle, di. barelle,
ou aſcune autre veſſeau, de-
vaunt qil ſoit vieu ; ſinon meſ-
me le butte teigne & conteigne
quatre vint & quatre galons, le
barell quaraunt deux galons, et
le di. barelle xxj. galons, bien
& ſoialment pakkez ; ſur payne
de forfaiture pur cheſcune butte
barelle & di. barelle enſi fail-
lant lour dit meſure vj. s. viij. d.
Auxi qe nulle tiel marchaunt,
eſteaut deſouth lobeiſaunce
du Roy, apres la dit feſte de
ſeint Michell vende ou mette a
vend aſcun manere ſalmon per
butte ou autre veſſeau, ſinon y
ſoit bien & ſoialment pakkez,
ſcilicet le grand ſalmon per
ſoy meſmeſaunz mixture oveſſe
daſcuns grilles, ou ſalmons
rompes*

rompes les ventrez. Et qe toutz petitz peſſons appelez grilles ſoient pakkez per ſoy meſmes ſoulement faunz aſcun mixture ſur payne de forfeiture & perdition de vj. s. viij. d. pur cheſcune butte, barelle, di. barelle, contrarie a ceſte acte mixtes, rakkés; & miſes au vend.

Auxi qe nulle marchaunt nautre perſone mette aſcun harank au vend per barelle, di. barelle, ou firkin, ſinon meſme le barelle conteigne xxxij. galons, le di. barelle, & firkin, ſolonge meſme la rate, & qe meſme le harank ſoient bien ſoitement & juſtement couche & pakke, & ſoit del priſe dune temps & ſaſure, & qe meſme le harank ſoit ſi bon & ſibien pakkee en le midye, & en cheſcune part du dit barelle & autre veſſeau, come il ſerra en les ſines meſmes les barelles & veſſeaux; ſur payn de forfeiture & perdition de iij. s. iij. d. pur cheſcune barelle dimi barelle & firkin enſi faillant lour dit meſure, et auxi ſur payn de forfeiture & perdition de iij. s. iij. d. pur cheſcune barelle, di. barelle, & firkin de harank contrarie a ceſt acte ſortez couchez ou pakkez. Auxi qe nulle tiel marchaunt ne palingman vende ou mette au vend aſcuns anguilles per barelle, di. barelle, ou firkin, ſinon le barelle conteigne xlij. galons, le di. barelle & firkin ſolonge meſme la rate: ne qe aſcune tiel marchaunt ne palingman meſcient aſcun galbelton, mores; ou decories anguilles, oveſque bones anguilles; mes qe meſmes les bones anguilles ſoient bien & juſtement pakkes, & venduz per ſoy meſmes; ne meſcent oveſque les ditz anguillez, ou mette au vende,

ſmall fiſh called Grills, ſhall be packed by themſelves only, without any mingling, upon pain of forfeiture and loſs of ſix ſhillings and eight pence for every butt, barrel, and half barrel mingled, packed, and ſet to ſale contrary to this act.

II. Alſo that no merchants nor other perſon ſet any herring to ſale by barrel, half barrel, or firking, except the ſame barrel contain two and thirty gallons, the half barrel and firkin after the ſame rate; (2) and that the ſame herring be well, truly, and juſtly couched and packed, and that it be of one times taking and ſalting; (3) and that the ſame herring be as good and as well packed in the miſt, and in every part of the ſame barrel, or other veſſel, as it ſhall be in the ends of the ſame barrels, and other veſſels, upon pain to forfeit three ſhillings and four pence for every barrel, half barrel, and firkin ſo failing their ſaid meſure, (4) and alſo upon pain of forfeiture and loſs of three ſhillings and four pence for every barrel, half barrel, and firking of herring ſorted, laid or packed contrary to this act. (5) Alſo that no ſuch merchant nor palingman ſell or ſet to ſale any eels by barrel, half barrel, or firkin, except the ſame barrel contain two and forty gallons, the half barrel and firkin after the ſame rate; (6) nor that any merchant nor palingman do mingle any gallebetton, ſtarved, or pulled eels with the good eels, but that the good eels be well and juſtly packed and ſold by themſelves; nor that they mingle with the good eels, or put to ſale any red eels, upon pain of forfeiture and loſs of ten

The content of a barrel of herring, &c. and they ſhall be well packed.

The content of a barrel of eels, and they ſhall not be mingled.

ten shillings for every barrel, half barrel, and firkin so failing their measure; and also upon pain of forfeiture and loss of ten shillings for every barrel, half barrel, and firkin so mixed, packed, and set to sale, as afore said, contrary to this act.

How fish shall
be packed.

(7) Also that no such merchant, after the said feast, sell, or set to sale any barrelled fish, except the same fish be well and faithfully packed, that is to say, any countable fish, commonly called Talefish, by it self, and the same fish called Grills by themselves, without any mixture of the said fishes with the great fish, and without mixture or packing of thokes, or fish with broken bellies with the said tale-fish, or small fish; (8) and that the said tale-fish, or small fish, be not laid double in the packing; (9) and that every tale-fish contain in length, from the bone in the fin, to the third joint in the neck, six and twenty inches at the least, and that the napes of all such barrelled fish shall be no longer than the little bone that resteth upon the great fin; (10) and that the bone of every such salt fish shall be taken away to the navel of the fish. And that every such fish be splatted, or opened down, to an handful of the tail, upon pain of forfeiting and losing of three shillings and four pence for every barrel of fish which hereafter shall be found packed, sorted, mixt, naped, laid double, or not boned, nor splatted, nor open, according to this act.

Chief officers
of cities and
boroughs, &c.
shall appoint
searchers to

III. Also in eschewing the common losses and deceits aforesaid, our said lord the King hath ordained and enacted, by the authority aforesaid, That all

vende, ascuns anguillez rougez; sur payn de forfaiture & perdition de x. s. pur chescune barelle dimi barelle & firkin ensi faillant lour dit mesure; et auxi sur peyne & perdition de x. s. pur chescune barelle, di. barelle, & firkin, ensi come est avauntdit mixtez, & contrarie a cest acte pakkez ou mise au vende. Auxi qe nulle tiel marchaunt apres la dit feste vende ou mette au vende ascun peffon barellez, sinon mesme le peffon soit bon & foialement pakkez, scilicet laccomptablez peffon, vulgarement appelez talefish, per soy mesme, & les petitiz peffons appelez griles per soy mesmes, saunz ascun mixture de les ditiz peffons ovef- qe le grosse peffon, & saunz mixture & pakkure des thokez & peffons rompez le ventre ovef- qe le dit comptable peffon, ou petit peffon: Et qe ne laccomptable peffon ne petit peffon soit couche double en pak- kure. Et qe chescune peffon comptable conteigne en longieure del osse al fyne jesquez al tierce jointe del cove xxvj. pouce au meyns. Et qe les napes de tout tiel peffon barel- lez ne soient pluis longez, qe au petit osse qe set sur le grosse fynne. Et qe losse de chescune tiel peffon salee soit prise hors, jesquez le lumble de mesme le peffon. Et qe chescune tiel peffon soit splatte ou overte base desqe un maniple del cove, sur payn de forfaiture & perdition de iij. s. iij. d. pur chescune barelle de peffon, quele enapres serra trovez pakkez, sortez, mixtez, napez, couchez dou- ble, ou nient deosses, ne splat- tes, ou overtez accordaunt a cest act.

Et auxi en eschuer de les communes

communes damages & desceitez avaunder, nostre dit seigneur le Roy ad ordeigne & enacte, per le suisdit auctorite, qe toutz mairs baillifs & gouvernours des citees villes burghs marchez & toutz autres lieux de cest son roialme pur le temps esteantz, lou ils sont mairs baillifs ou gouvernours, aient poier & auctorite pur nommer & eslier discrete & experte persone ou personnes, duement de serchier & gaugier toutz tielx vesseaulx come desuis sont rehersez, que ceux soient foialement pakke, & gardent leur foialle mesure & assise, accordantz as les ordeignances suisditz : lune moite des toutz les syns forfeitures & peyns, & chescune de eux, soit a nostre seigneur le Roy, & lautre moite soit a celluy ou ceux de ses subgietz, qi ou queux seiseront ou pursueront, seiseront ou pursueront, pur le mesme, per action de dette per briefe a la commune ley, per bill ou plaint, solonque la custume de la citee ou ville, lou avendra en apres ascuns tielx fines forfaitures ou peynes de chier & estre : et qe le defendaut en aucun tiel action ne soit admise de gager ou faire sa ley, ne qe aucun protection ou effoine de service le Roy pur aucun tiel defendaut soit allowez. Purveu soit, qe cest act ne soit prejudicial al aucune persone ou personnes eiant ou eiantz forfaitures des biens des felounes fugitives & dampnez.

Et oustre ceo est ordeigne, & enacte, per lauctorite avaunder, qe chescune tiel persone ou personnes aient & enjoient semblablez forfaitures de & en chescune de les premisses dedeinz leurs franchises, si come le Roy ore ad en autres lieux dehors,

all mayors, bailiffs, and governors of cities, boroughs, market-towns, and all other parts of this his realm, for the time being, where there be mayors, bailiffs, or governors, shall have power and authority to name and choose discreet and expert person or persons, daily to search and gauge all such vessels as above be rehearsed, that they be faithfully packed, and keep their lawful measure and assise according to the ordinances aforesaid ; (2) the one half of all the said fines, forfeitures, and penalties, and every of them, to be to our lord the King, and the other half to him or them of his subjects that shall seize or pursue for the same by action of debt, by writ at the common law, by bill or plaint, according to the custom of the city or town where any such fines, forfeitures, and penalties shall hereafter happen to be or fall ; (3) and that the defendant in any such action be not admitted to wage nor do his law, (4) nor that any protection, or effoin of the King's service for any such defendants be allowed. (5) Provided always, That this act be not prejudicial to any person or persons having the forfeiture of the goods of felons, fugitives, and condemned persons.

IV. Moreover, it is ordained and enacted by the authority aforesaid, That every such person and persons shall have and enjoy like forfeitures of and in every of the premisses within their franchises, as the King now hath in other places without.

search and gauge vessels of fish.

CAP. III.

Concerning ſilk workers.

Ex edit. Raft.
No ribbands,
laces, corſes,
girdles, call-
ſilk, or colein-
ſilk twined,
ſhall be
brought into
England to be
ſold, upon
pain of for-
feiture of the
ſame, or the
value thereof.
33 H. 6. c. 5.
3 Ed. 4. c. 3.
19 H. 7. c. 21.
3 R. 3. c. 10.

ITEM, whereas by a piteous complaint made in the ſame parliament by men and women of the myſtery and workmanſhip of ſilk of the city of *London*, and other cities, boroughs and towns of this realm, it was ſhewed, how that in the time of the reign of our ſovereign lord the King that now is, a reſtraint was made that certain things of ſilk work ready wrought ſhould not be brought into this realm, after which reſtraint expired, ſo great multitude of ſilks ready wrought as corſes, ribbands, laces, call ſilk, and colein ſilk twined have been brought into this ſaid realm by merchants ſtrangers and other, that all the workers of the ſaid myſtery of ſilk working, as well men as women in the ſaid realm have been grievouſly impoveriſhed for default of occupation. Our ſaid ſovereign lord the King in conſideration of the premiſſes, hath by the advice, aſſent, and authority aforeſaid, ordained and eſtabliſhed, That no merchant ſtranger nor other perſon, after the feaſt of *Eaſter* next coming, ſhall bring into this realm of *England* to be ſold any corſes, girdles, ribbands, laces, call ſilk or colein ſilk twined or wrought, upon pain of forfeiture of the ſame, or of the value thereof, in whoſe hands they ſhall be found. The one half of the ſame forfeiture to be to our ſovereign lord the King, and the other half to him or them of the King's ſubjects which ſhall ſeiſe the ſame, or purſue for the ſame by action of debt by writ at the common law, or by bill or plaint after the cuſtom of the city or town where ſuch forfeiture ſhall hereafter happen to fall or be. And that the defendand in any ſuch action be not admitted to wage nor do his law, nor no protection nor eſſoin in the King's ſervice to be allowed for any ſuch defendand. This act to endure for iiiij. years next following the ſaid feaſt of *Eaſter*.

CAP. IV.

An act for the price of bows.

Whoſoever
ſhall ſell a long
bow of yew
above the
price of three
ſhillings and
four pence,
ſhall forfeit
twenty ſhil-
lings.
Rep. 8. El.
c. 10.
3 H. 7. c. 13.
33 H. 8. c. 9.

ITEM, whereas in the time of the noble progenitors of our ſovereign lord the King that now is, and alſo in the time of the victorious reign of our ſaid ſovereign lord the King that now is, his ſubjects within every part of this realm have virtuoſly occupied and uſed ſhooting with their bows, whereby and under the protection of Almighty God, victorious acts have been done in defence of this realm: now ſo it is, that the bowyers in every part of this realm do ſell their bows at ſuch a great and exceſſive price, that the King's ſubjects diſpoſed to ſhoot, be not of power to buy to them bows, whereby ſhooting is greatly diminifhed and leſt, and unlawful games be uſed, contrary to ſtatutes and ordinances thereupon made: our ſaid ſovereign lord the King, conſidering the premiſſes, by the advice, aſſent, and authority aforeſaid, hath ordained, eſtabliſhed and enacted, That from the feaſt of *Eaſter* next coming no bowyer
nor

nor other perſon uſing to ſell or put to ſale, or which hereafter ſhall uſe to ſell or put to ſale any long bow or bows of yew, ſhall ſell any of the ſame bows to any of the King's liege people above the price of iii. ſhillings iiij. d. a bow. And long bows of yew under the value of the ſame price as the ſeller and buyer thereof may reaſonably agree and accord, upon pain to forfeit for every long bow of yew otherwiſe ſold above the ſaid price of iii. s. iiij. d. xx. s. The one half thereof to our ſovereign lord the King, and the other half to any of his liege people that will therefore purſue and prove the ſaid forfeiture by action or actions of debt, wherein like proceſs judgement and execution ſhall be had as is commonly uſed in actions of debt ſued at the common law. And that no defendant in any ſuch action or actions ſhall be admitted to wage his law.

C A P. V.

Concerning the fulling of hats and caps.

ITEM, it was ſhewed in the ſaid parliament, how that hats, No perſon
bonnets, and caps as well ſingle as double, were wont to be ſhall full or
faithfully made, wrought, fulled and thicked by men's ſtrength, thick any
that is to ſay, with hands and feet, and thereby the makers of hats, bonnets,
of the ſame have honeſtly before this time gained their living, and or caps, at
kept many apprentices, ſervants and good houſes, till now of late any fulling
that by ſubtile imagination, to the deſtruction of the labours mill, or ſet to
and ſuſtenance of many men, ſuch hats, bonnets, and caps ſale any ſo
have been fulled and thicked in fulling mills, and in the ſaid pain to forfeit
mills the ſaid hats and caps be broken and deceitfully wrought, forty ſhillings.
and in no wiſe by the mean of any mill may be faithfully Rep. 1. Jac. 1.
made, to the great damage of our ſovereign lord the King and C. 25.
of all his ſubjects, and the final undoing of ſuch which be 7 Ed. 6. c. 8.
the makers of ſuch hats, bonnets, and caps, unleſs the grace of
our ſovereign lord the King ſhould be to them ſhewed in this
behalf, and thereupon to provide remedy: our ſaid ſovereign
lord the King, by the aſſent of the lords ſpiritual and temporal,
and at the ſupplication of his ſaid commons in the ſaid parlia-
ment aſſembled, and by the authority of the ſame hath ordained
and provided, That no manner perſon after the feaſt of *Eaſter*
next coming, ſhall full or thick, or do to be fulled or thicked
any hats, bonnets, or caps, double or ſingle, in any fulling mill,
or by the mean of any fulling mill, upon pain to forfeit and to
loſe xl. s. as often as he ſhall do contrary to this act. And alſo
that no perſon hat-maker, capper, or other whatſoever he be,
after the ſaid feaſt of *Eaſter*, ſhall ſet or cauſe to be ſet any hats
bonnets or caps double or ſingle to be fulled or thicked, to any
ſuch mill or by the mean of any ſuch mill, or ſet to ſale any
ſuch hats, bonnets, or caps double or ſingle, which after the
ſaid feaſt ſhall be ſo made, fulled or thicked, upon pain to for-
feit and loſe the hats, bonnets, and caps ſo ſet as afore is ſaid to
any ſuch mill to be fulled or thicked, or otherwiſe ſet to be
ſold contrary to this act, and alſo to forfeit and loſe xl. s. as
often as any ſuch perſon ſhall ſet to fulling or thicking or to ſale
any

any ſuch hats, bonnets, and caps contrary to this act: the one half of the ſaid fines forfeitures and penalties and of every of them, to our ſovereign lord the King, and the other half to him or them of the King's ſubjects, which ſhall ſeiſe the ſame or purſue for the ſame by action of debt, by writ at the common law, or by bill or plaint after the cuſtom of the city or town where any ſuch fines forfeitures or penalties ſhall happen to fall or to be. And that the defendant in any ſuch action be not admitted to do or wage his law, nor no protection nor eſſoin in the King's ſervice ſhall be for any ſuch defendant allowed: This act to indure from the ſaid feaſt of *Eaſter* till the end of two years then next following, and no longer.

CAP. VI.

An act concerning ſwans.

How much
land he muſt
have which
ſhall have a
mark or game
of ſwans.

ITEM, *Where as well our ſaid ſovereign lord the King, as other lords, knights, eſquires, and other noble men of this noble realm of England, have been heretofore greatly ſtored of marks and games of ſwans in divers parts of this realm of England, until of late that divers keepers of ſwans have bought and made to them marks and games in the ſens and marſhes, and other places, and under colour of the ſame, and of ſurveying and ſearch for ſwans and cygnets for their lords and maſters, have ſtolen cygnets, and put upon them their own mark, by which unlawful means the ſubſtance of the ſwans be in the hands and poſſeſſion of yeomen and huſbandmen, and other perſons of little reputation; (2) wherefore it is ordained, eſtabliſhed, and enacted by our ſaid ſovereign lord the King, with the aſſent of the lords ſpiritual and temporal, and at the ſpecial petition and requeſt of the commons, in the ſaid parliament aſſembled, and by authority of the ſaid parliament, That no perſon, of what eſtate, degree, or condition he be (other than the ſon of our ſovereign lord the King) from the feaſt of Saint Michael*
next

ITEM, pur ceo qe ſibien noſtre dit ſoveraigne ſeignur le Roy come autres ſeignurs chivalers eſſquires & autres nobles hommes de ceſt roialme d'Engleterre per cy devaunt ount eſtez graundement repleniſhes des marques & games des cignes es diverſes parties de ceſt roialme d'Engleterre, jeſquez ore tarde, qe diverſes gardeins des cigneiz ount achatez ou faitz as eux marques & games en les fennes & marſhes & autres lieux, et deſouth colour dicelle, & de la ſurveiaunce & ſercheour pur le cignes & cignettez pur leur ſeignurs et maîtres ont embleez cignettez & miſes ſur eux leur propre marque, qe per tielx diſſoialx moiens la ſubſtance des cignes ſount en les mayns & poſſeſſion des vadlets & huſbondmen & autres perſones de nient: pur ceo il eſt ordeignes eſtablies & enaſtes per noſtre dit ſoveraigne ſeignur le Roy, del aſſent de les ditz ſeignurs eſpirituelx & temporelx & a la eſpecial iſtaunce & requeſte de les communes en le dit parlement aſſembles, & per auctorite de meſme le parlement, qe null perſone, de quele eſtate degree

degree ou condition il ſoit, autre qe ſitz a noſtre treſſoveraigne ſeignur le Roy, a la feſte de ſeint Michell proſchein veignaunt aiet ou poſſede aſcun tiel marke ou game de ſon propre, ou aſcun autre a ſon oeps aiet ou poſſede aſcun tiel marke ou game, ſinoun il aiet terre ou tenementz del eſtate de frank tenure al annuel value de v. marcs, ouſtre toutz les annuel chargez. Et ouſtre ceo qe cheſcune perſone ou perſones ore eient ou eiauntz aſcun tiel marke ou game vende ou done le meſme de ceux entre ey & la feſte de ſeint Michell proſcheinement veignaunt al oeps diceux as queux ils enſi ſerount venduz ou donez. Et ſil aveigne aſcun perſone ou perſones nient eiaunt aſcune poſſeſſion de les terres & tenements a le annuel value avaunt dit davoir enjoier ou aſcunement poſſeder, ou aſcune autre al uſe ou al oeps diceux ou aſcun de eux, davoir ou poſſeder, aſcun tiel marke ou games puis le dit feſte; qe lors il ſerra licette au aſcune des ſubgiertz noſtre ſeignur le Roy, eiaunt terres et tenementz a la dit valuer, de ſeiſer les ditz cignettes ou cignes come forſaitz, dount le Roy avera lune moite, & celluy qi celles ſeiſera lautre moite.

next coming, ſhall have or poſſeſs any ſuch mark or game of his own, or any other to his uſe ſhall have or poſſeſs any ſuch mark or game, except he have lands and tenements of the eſtate of freehold to the yearly value of five marks above all yearly charges. (3) And moreover, That every perſon or perſons now having any ſuch mark or game, ſhall ſell or give the ſame betwixt this and the feaſt of St. *Michael* next coming, to the uſe of them to whom they ſhall be ſold or given; (4) and if it happen any perſon or perſons not having any poſſeſſion of lands or tenements to the ſaid yearly value, or any other to have or poſſeſs lands to his or their uſe, to have or poſſeſs any ſuch mark or game after the ſaid feaſt, that then it ſhall be lawful to any of the King's ſubjects, Any perſon having five marks of freehold may ſeiſe the ſaid ſwans as forfeit; whereof the ſwans forfeited. the King ſhall have one half, and he that ſhall ſeiſe the other half.

C A P. VII.

An act for incloſing of woods in forests, chaſes, and purlieus.

ITEM, noſtre dit ſeignur le Roy, conſideraunt qe diverſes ſubgiertz eiauntz bois creſſant en leur propre ſoile deinz la foreſt de Rokyngham, & autres foreſtez et chacez de deinz ſon roialme dEngleterre ou purleuez dicels, qi ount coupez leur ditz bois, pur ceo qe meſmes les ſubgiertz ne purroient avaunt ceſt temps copier nencloſer leur dit ſoile, pur ſaver

ITEM, our ſaid lord the King, conſidering that divers ſubjects having woods growing in their own ground within the foreſt of Rokyngham, and other foreſts and chaſes within his realm of England, or purlieus of the ſame, which have cut their ſaid wood, becauſe the ſame ſubjects might not before time cut nor incloſe their ſaid ground, to ſave the young ſpring of their wood ſo cut, any

4 Inſt. 304.

8 Co. 137.

Woods felled
in any forest,
or purlieu,
may be in-
closed and
kept several
seven years.

35 H. 8. c. 17.
23 El. c. 25.

any longer time than for three years, (2) the same young spring hath been in times past, and daily is destroyed with beasts and cattle of the same forest, chases, and purlieus, to the great hindrance, as well of his said subjects, as of his deer, vert, and venison in their covert, and otherwise likely to be the destruction of the same forests, chases, and purlieus; (3) by the assent of the lords spiritual and temporal, and the commons, in the said parliament assembled, and by the authority of the same, doth ordain, establish, and enact, That if any of his subjects, having woods of his own growing in his own ground, within any forest, chase, or purlieu of the same, within this realm of England, from the first day of this parliament, shall cut, or cause to be cut the same wood, or part thereof, by licence of the King, or of his heirs, in his forests, chases, or purlieus, or without licence in the forest, chase, or, purlieu of any other person, or make any sale of the same wood; it shall be lawful to the same subjects, owners of the same ground whereupon the wood so cut did grow, and to other such persons to whom such wood shall happen to be sold, immediately after the wood so cut, to cope and inclose the same ground with sufficient hedges, able to keep out all manner of beasts and cattle forth of the same ground, for the preserving of their young spring; (4) and the same hedges so made, the said subjects may keep them continually by the space of seven years next after the same inclosing, and repair and sustain the same as often as shall need within the same seven

ver le germe de leur bois ensy coupez plus longue que pe trois ans; mesque le germe a este en temps passe, & journalment est, destruitez ovefque bestes & chatelx mesme la foreste, chacez, & purleuez, grand damage, sibien as le ditz subgiettes, come de foder, vert & venison, en leur couverture & autrement, au vissemblable destruction mesmes les forests, chacez, & purleues per assent des ditz seignurs epirituels & temporels & communes en la dit parlement assemblez, & per auctorite de cellez, ordeigne enacte & estable, qe si aucune de ses subgietz eiaunt bois de son propre creissant en son propre foiein aucun foreste, chase, purlieu del mesme, dedeinz le roialme dEngleterre, a le premier jour del dit parlement face couper, ou cause estre coupez, mesme le bois, au par dicelle, per la licence du Roi ou de ses heires, en ses forestes chaces, ou purlieux, ou sans licence en la foreste, chase ou purlieu, dautre persone, face vende de mesme le bois soit il licette as mesmes les subgietz, possesseurs mesme le soit sur quoy le bois ensy coupe, & autres tielx persone come mesme le bois avient estre venduz, immediat puis le bois ensy coupez, a copier & enclouiser mesme le soile ovefque suffisceantz heies, ablez de excluder toutz maners bestes & chatels hors mesme le soile pur la salvation de leur germe & mesmes les heiez ensy fait les ditz subgietz puissent garder eux continuelment per l'espace de sept ans prochains apres mesme lenclosure, & repaire & sustener si souvent come bu soigner

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soignera dedeinz mesmes les sept ans, sauns suer dascun autre licence de luy ou sez heires, ou autres personez, ou ascun de lour officers mesmes les forestez chacez ou purlieus.

seven years, without suing of any other licence of him, or of his heirs, or other persons, or any of their officers of the same forests, chases, and purlieus.

C A P. VIII.

Merchandises carried into or fetched out of Scotland, shall be first brought to Berwick. The freemen of Berwick shall have to ferm the fishing there.

ITEM, Our said sovereign lord the King, for the surety of the town of *Berwick*, and the marches of the same, and to have the same town to be inhabited with great number of his faithful liege people, which would there abound and increase by the repair of merchants and merchandise, and exercise of the same, hath by the assent of the lords spiritual and temporal, and the commons in the said parliament assembled, and by authority of the same parliament ordained, enacted and established, That from the feast of the nativity of Saint *John Baptist* next coming, all merchants which shall carry or bring any merchandise out of *Scotland*, or the isles of the same, into this realm of *England*, or into *Ireland*, or *Wales*, first shall bring the same merchandise to the said town of *Berwick*: (2) and that none of the King's liege people, nor any other person under the King's obedience, shall buy any merchandise brought out of *Scotland*, and carry the same, or cause to be carried into this realm of *England*, or any other place under the King's obedience, but that the same merchandise be brought, sold and customed at his said town of *Berwick*, except to the city of *Carlisle*, and the ports or creeks pertaining to the west marches. (3) and that no manner merchant, depizen nor stranger, under the King's obedience, shall carry or convey to sell any manner merchandise of *England*, *Ireland*, or *Wales*, into *Scotland*, or the isles of the same, which be not under the King's obedience; (4) and that none under the King's ligeance and obedience, sell any manner merchandise of *England*, *Ireland* or *Wales*, to any of the inhabitants of *Scotland*, or the isles of the same, in any place within *England*, *Ireland* or *Wales*, saving only at the said town of *Berwick* and *Carlisle* aforesaid. (5) And that no merchandise shall be shipped in any creek or other place betwixt *Tinmouth* and the said town of *Berwick*, but only in the port or haven of the said town of *Berwick*: (6) and that no person or persons saving the burgeses and freemen of the said town of *Berwick*, shall cause any salmon to be sold, which shall be taken in the water of *Tweed*. (7) And if any person or persons offend, or do with any merchandise aforesaid, contrary to any of the said ordinances, the same person or persons shall forfeit all the said merchandise; (8) and that it shall be lawful to any of the King's liege subjects to seise all such merchandise so forfeit, or else to pursue in his own name an ac-

Ex edit. Pult.
Merchandises
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tion of debt against the same person or persons which so shall forfeit, containing the sum of the value of the said goods : and in the same action to have like process, judgment and execution, as is used in other actions of debt by the course of the King's laws : (9) and that in none of the same suits and actions any protection or essoin of the King's service be allowed, nor any defendant admitted to do his law, (10) and our lord the King to have as well the one half of all such merchandise forfeited and seized, as the one half of all such sums of money which shall be recovered by action in the form aforesaid, to pursue for the value of any such goods so forfeited : and the person or persons which shall seize and pursue in the form aforesaid, to have the other half of the same.

The merchants and freemen of Berwick shall have to ferm the waters royal, and fishings there.

II. And by the said authority it is ordained and enacted, That the merchants and freemen of the said town, may of the grace of our said lord the King, have to ferm all the waters royal, and fishing places within the said town of *Berwick* and seigniory of the same paying for the same as such as any other person will do ; (2) and that the same merchants and freemen, and every of them, may from henceforth have, occupy and enjoy to them, their heirs and successors for ever all liberties, franchises and customs, which at any time before pertained to the said town, (3) and that they may ship all manner goods and merchandises there, and carry them to what place or places, port or ports that they will, and there discharge, and the same recharge with corn or any other victual or merchandises, and bring the same to the said town of *Berwick* for victualling thereof.

1 Jac. I. c. 28.

III. Provided always, That this act, nor any other act, made or to be made in the said parliament, do not extend nor be prejudicial to *William* bishop of *Durham*, nor to his successors, in or for any manner thing pertaining, or in any wise belonging to him.

Thus end the Statutes made in the time of King *Edward* the Fourth.

END of the Third VOLUME.

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